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# **RAJASTHAN RULES COMPENDIUM**

( IN 16 VOLUMES )  
( 1949 TO 1967 )

*By*  
**VYAS & BAFNA**



## **BAFNA BOOK DEPOT**

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*Rules and Notifications under*

SCOOTER (DISTRIBUTION & SALE) CONTROL  
ORDER, 1960.

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*Notifications under*

**SCOOTER (DISTRIBUTION & SALE) CONTROL ORDER, 1960.**

*Published in Raj. Raj-patra part I (b) dated December 8, 1960 at pages 461*

Home (B) Department

Order

Jaipur, November 8, 1960.

No. F. 3 (16) HB/Gr. I/59.—In pursuance of para of Scooters (Distribution and Sale) Control order, 1960 made by the Central Government in the Ministry of Commerce & Industry, the Government of Rajasthan is pleased to hereby appoint the Director of Transport of Rajasthan by virtue of his office as an Officer for the purpose of above said Para.

By Order of the Governor,

D. N. HANDA,

Deput Secretary to Government.

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*Rules and Notifications under*

SECONDARY EDUCATION ACT, 1957.  
( RAJ. ACT, No. 42 OF 1957 ).

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# THE RAJASTHAN

## Secondary Education Regulations, 1957.

Education 'C' Department

### NOTIFICATION

Jaipur, December 23, 1957.

No. D. 4049/F. 1 (91) Edu/C/57.—In exercise of powers conferred by section 37 of the Rajasthan Secondary Education Act, 1957 (Act No. 42 of 1957), the State Government hereby makes the first regulations:—

### Regulations

### CHAPTER I

### Preliminary

1. These Regulations may be called the Rajasthan Secondary Education Regulations, 1957:

#### *Notes.*

The Rajasthan Secondary Education Act, 1957 provides for the establishment of a Board for Secondary Education in Rajasthan with a view to develop the system of secondary education on modern, scientific and progressive lines. Section 36 of the Act authorises the Board established under the Act to make regulations for the purposes of carrying into effect the provisions of the Act. Without prejudice to the generality of this power sub section (2) of section 36 requires the Board to make the regulations providing for all or any of the following matters. namely:—

- (a) the procedure of the Board and its Committees;
- (b) the conferment of diplomas and certificates;
- (c) the courses of study to be laid down for all certificates and diplomas;
- (d) the conditions under which candidates shall be admitted to the examinations of the Board and shall be eligible for diplomas and certificates;
- (e) the fees for admission to the examination of the Board;
- (f) the conduct of examinations;
- (g) the appointment of examiners and their duties and powers in relation to the Board's examinations;
- (h) the admission of institutions to the privileges of recognition and the withdrawal of recognition;
- (i) the appointment of officers, clerks, and other servants of the Board;
- (j) the constitution of a Provident Fund for the benefit of officers, clerks and other servants employed by the Board;
- (k) the control, administration, safe custody and management in all respects of the finances of the Board;
- (l) the election or nomination of members to the Board;
- (m) the election and nomination of members to the Committees;
- (n) the institution of scholarships and prizes;
- (o) the constitution, powers and conditions and duties of the Committees set up by the Board;
- (p) the emoluments and allowances of members of the Board and all its Committees; and
- (q) all matters which by this Act are to be or may be prescribed or provided for by regulations.

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*These rules have been first published in Rajasthan Raj-patra dated Jan. 9, 1958 part IV (c) at page 817,*

Section 37 of the Act, however, provides that the first regulations shall be made by the State Government and the same shall be deemed to have been made by the Board and shall continue in force until altered by the Board. The State Government has accordingly made these first regulations. These regulations provide for matters referred to in sub-section (2) of section 36 of the Act.

2. They shall come into force at once.

3. In these Regulations and Bye-laws made thereunder, unless there is anything repugnant in the subject or context,—

(1) "Act" means the Rajasthan Secondary Education Act, 1957 (Act No. 42 of 1957);

(2) "College" means an educational institution preparing candidates for an Intermediate Examination of the Board and recognised by the Board for such a purpose;

(3) "Higher Secondary School" or "Multi-purpose Higher Secondary School" means an educational institution preparing candidates for the Higher Secondary Examination of the Board and recognised by the Board for such a purpose;

(4) "High School" means an educational institution preparing candidates for the High School Examination of the Board and recognised by the Board for such a purpose;

(5) "Recognised institution" means an institution (college or school) recognised for admission to any examination of the Board;

(6) "Principal" means the Head of College recognised by the Board;

(7) "Headmaster" means the Head of a High School, or a Higher Secondary School, or a Multi-purpose Higher Secondary School, recognised by the Board; for the High School Examination or the Higher Secondary Examination.

(8) "Head of an Institution" means the Headmaster of a High School or a Higher Secondary School or a Multi-purpose Higher Secondary School, or the Principal of an Intermediate College, recognised by the Board;

(9) "Teacher" means a person actually engaged in the work of giving instruction in a school or college recognised by the Board;

(10) "Guardian" means the natural or legal guardian, or a person approved by the Head of the institution concerned as the guardian of a student for the purpose of these Regulations;

(11) "Session" means the period for which an institution is open for tuition during the twelve months commencing with the formation of new classes;

(12) "Private Candidate" means a candidate for an examination conducted by the Board who has not, during the session preceding the examination, been studying at an educational institution of any kind;

(13) "Regular Course of Study" means a course of study prescribed by the Board; and

(14) "Scholar's Register" means the register containing the record of a scholar's progress kept by the institution to which he belongs, in the form approved by the Board.

## CHAPTER II.

### The Board.

1. The Board shall meet ordinarily in the months of October and January.

2. The meeting of the Board held in the month of October shall be deemed to be the annual meeting of the Board.

## CHAPTER III.

### The Chairman.

1. The Chairman shall have the right to attend and speak at the meetings of all the Committees of the Board.

## CHAPTER IV

### The Secretary.

#### *Notes.*

Section 20 of the Act provides for appointment and powers and duties of the Secretary of the Board constituted under the Act. Sub-Section (7) of section 20 further provides that the Secretary shall exercise such other powers as may be prescribed. The rules in this Chapter prescribe further powers to be exercised by the Secretary.

1. The Secretary shall conduct the official correspondence of the Board under the authority of the Chairman and shall be responsible for keeping the minutes and the proper maintenance of all the records of the Board.

2. The Secretary shall be responsible for seeing that all moneys are expended on the purpose for which they are granted or allotted.

3. All fees and dues payable to the Board, and all sums received by the Secretary, qua Secretary, shall be credited without delay to the account of the Board with the State Bank of India or any other Bank or Treasury approved by the Board.

4. The Secretary shall be responsible for the proper printing and issue of examination-papers, and, subject to the control of the Examinations' Committee, for all arrangements connected with the conduct of the Board's examinations.

5. The Secretary shall receive and, subject to the control of the Examinations' Committee, deal with applications from candidates for admission to the Board's examinations.

6. It shall be the duty of the Secretary, on behalf of the Board, to issue to successful candidates, certificates in the approved form of having passed the Board's examinations.

7. The Secretary shall have charge of the Board's library and shall forward books received from authors or publishers to the members of the Committee of Courses concerned.

8. The Secretary shall annually in the month of June prepare and circulate to all concerned a list of schools and colleges recognised for the purpose of the Board's examinations, specifying the optional subject or subjects in which recognition has been granted.

9. The Secretary shall be entitled to be present and to speak at any meeting of the Board, but shall not be entitled to vote thereat.

10. The Secretary shall perform such other duties as may be assigned to him by the Board or may be necessary for the carrying out of its decisions.

## CHAPTER V

### Committees of the Board.

#### Notes.

Sub-section (1) of section 22 of the Act requires the Board to appoint the following Committees :—

- (a) Committees of Courses,
- (b) An Examination Committee,
- (c) A Curriculum Committee,
- (d) A Recognition Committee,
- (e) An Evaluation Committee,
- (f) A Finance Committee, and
- (g) Such other Committees as may be prescribed.

Sub-section (4) section 22 requires that the term of the members of the Committees shall be prescribed by regulations. The rules in this Chapter have, therefore, been framed for putting into effect the requirements of clauses (g) of sub section (1) and sub section (4) of section 22.

1. In addition to the Committees specified in section 22 of the Act, the Board shall appoint the following other Committees:—

(a) a Committee to scrutinize applications from private candidates for permission to appear at the Board's examinations;

(b) Results Committee.

2. The number of members appointed by the Board to any Committee shall, unless otherwise specified, not be more than five.

3. A Committee may co-opt persons to serve thereon up to a limit of one-third of the total number of members of the Committee.

4. If in the opinion of the Chairman, a Committee, under any of the Regulations or Bye-laws, is not sufficiently representative of the interests of all the areas under the jurisdiction of the Board or of the subject to be treated by the Committee, he may, notwithstanding anything contained in the Regulations or Bye-laws, nominate an additional member on the Committee so as to ensure adequate representation.

5. Members of Committees, other than co-opted members, shall hold office for a period of three years. The term of three years shall be reckoned from the date of the Board's meeting at which elections were held and close on a date immediately preceding the date of the triennial meeting of the Board.

The term of members of Committee co-opted or nominated under the above regulations shall be one year from the date of co-optation or nomination.



6. Election of members to fill casual vacancies in the Committees of the Board shall be held at the meeting of the Board immediately following the occurrence of the vacancy, and members so elected shall hold office from the date of election for the residue of the term.

7. The Board shall appoint, at its annual meeting, a member of each Committee to be the Convener of the Committee. In the event of the Convener ceasing to hold office, the Committee shall appoint a substitute from among its own members to hold office till the next annual meeting of the Board.

*Notes.*

The Committees are appointed under section 22 of the Act. Section 23 of the Act reading as under requires that the Board shall, before exercising its powers, receive and consider the report of the committee with respect to the matters entrusted to the committees.

Section 9 of the Act requires that the Board shall exercise and perform following powers and functions :—

(1) prescribe courses of instructions for secondary education in the State for such candidates as:—

(a) have pursued a course of study in an institution for secondary education in Rajasthan, recognised by the Board,

(b) are teachers of institutions recognised by the Board in this behalf,

(c) have studied privately under conditions laid down in the regulations, and have passed the examinations of the Board under the like conditions;

(2) conduct public examinations at the end of the secondary stage;

(3) publish the results of the examinations of the Board;

(4) grant certificates and diplomas to such persons as—

(a) have pursued a course of study in a recognised institution,

(b) are teachers of recognised institutions, or

(c) have studied privately under conditions laid down in the regulations, and have passed the examination of the Board;

(5) recognise institutions for the purposes of its examinations and admitting them to the privileges of the Board;

(6) admit candidates to the examinations of the Board;

(7) demand and receive such fees as may be prescribed;

(8) co-operate with other authorities in such manner and for such purposes as the Board may determine;

(9) place before the State Government the views of the Board on any matter with which it is concerned;

(10) call for reports from the Director on the conditions of recognised institutions or of institutions applying for recognition and to direct inspection of such institutions;

(11) adopt measures to promote the physical, moral, cultural and social welfare of students in recognised institutions and to prescribe the conditions of their residence and discipline;

(12) organise and provide lectures, demonstrations and educational exhibitions, seminars and symposiums and to take such other measures as are necessary to raise the standard of secondary education in the State;

(13) institute and award scholarships, medals and prizes under conditions that may be prescribed; and

(14) do all such other acts and things as may be requisite in order to further the objects of the Board as a body constituted for regulating and supervising secondary education in the State.

Clause (a) of sub-section (2) of section 36 requires that the procedure of the Committees should be prescribed by regulations. Clause (o) of sub section (2) of section 36 further requires that the regulations shall prescribe for constitution, powers and Conditions and duties of the committees set up by the Board.

## CHAPTER VI.

### Committees of courses.

1. The Board shall appoint Committees of Courses in the following subjects or groups of subjects:—

- (i) English.
- (ii) Hindi.
- (iii) Sanskrit and Gujarati.
- (iv) Arabic, Persian and Urdu.
- (v) History and Civics.
- (vi) Social Studies.
- (vii) Geography.
- (viii) Logic and Psychology.
- (ix) Economics.
- (x) Mathematics.
- (xi) Physics.
- (xii) Chemistry.
- (xiii) Biology.
- (xiv) General Science.
- (xv) Commerce.
- (xvi) Home Science.
- (xvii) Music and Dancing.
- (xviii) Fine Arts (including Drawing and Painting etc.).
- (xix) Agriculture.
- (xx) Engineering and Mechanical (Technical courses).
- (xxi) Crafts (including Wood Work, Metal Work, Hand spinning and weaving and Tailoring etc.).

2. Committees of Courses shall also be constituted for such other subjects of study as may from time to time be prescribed by the Board.

(3) A Committees of Courses shall have at least two and not more than three members actually engaged in teaching the subject or subjects, with which the Committee is concerned, in recognised High Schools, Higher Secondary Schools, or Intermediate Colleges. Such members shall not be below the rank of a Headmaster or Principal. If no Principal or Headmaster is available, a senior teacher of the subject shall be taken.

4. Each Committee of Courses shall prepare a syllabus in the subjects with which it is concerned, and, when necessary, recommend suitable text-books and reasonable prices therefor.

5. Every Committee of Courses shall ordinarily meet in the month of September. The draft courses proposed by the Committee shall be circulated, as soon as may be, among the members of the Board. Any observations made by members in regard thereto shall

be communicated by them direct to the Convener concerned before the end of November in the same year. If, in the opinion of the Convener, the nature of the criticism received justifies the consideration of the courses drawn up by the Committee, he shall at once move the Secretary to summon another meeting of the Committee to reconsider the courses or ascertain by correspondence the views of the members of the Committee on the suggestions received, otherwise the courses drawn up shall be taken to be finally approved by the Committee:

Provided that changes in the courses of study in one year shall not affect more than one-third of the whole course in any subject recommended for any of the Board's Examinations.

6. The courses finally approved by the Committee shall be submitted to the Board at its January meeting by the Convener or by some other member of the Committee who is a member of the Board and is present at the meeting.

7. The courses as finally approved and sanctioned by the Board shall be printed in the Prospectus and issued by the Secretary two years before the date of the examination in the case of High School and Intermediate examinations, and three years before the date of the examination in the case of Higher Secondary examination.

8. If the Board is of opinion that a recommendation made by a Committee of Courses requires reconsideration, it may refer the matter back to the Committee. After considering the views of the Committee upon the reference, the Board shall decide the matter.

9. A Committee may bring to the notice of the Board any matter connected with the examinations or courses in respect of the subject or subjects with which it is concerned.

10. Any two or more Committees of Courses may, with the consent of the Chairman, or under a resolution of the Board, shall meet and render a joint report upon any matter with which they are severally and jointly concerned. In such cases the joint meeting shall elect its own Chairman from among the Conveners of the Committees jointly meeting.

11. It shall be the duty of the various Committees of Courses to make recommendations in proper time to the Examination Committee on matters relevant to Regulations 3 (c), (d), (e), and (j) or Chapter IX of the Regulations.

12. The question-papers set in relevant subjects at the immediately preceding examinations of the Board, shall be placed for review before the Committees of Courses concerned and their remarks, if any, shall be placed before the Chairman for such action as he may consider necessary.

13. The Committees of Courses shall recommend names of examiners in their respective subjects for each year's examinations, as far as possible, from out of the register maintained by the Secre-

tary for the purpose, for consideration of the Examinations' Committee.

14. No Committee of Courses shall prescribe or recommend for study for any examination any book written or published by a member of the Committee; and no book prescribed or recommended shall ordinarily be changed before a period of five years.

15. A copy of each book submitted by the authors or publishers shall be sent by the Secretary to each member of the Committee of Courses concerned at least 45 days before the date of the meeting of the Committee.

16. The following procedure is laid down for submission of books by the publishers or authors of books for consideration of the Committees of Courses:—

(1) Publishers or authors intending to submit their books to the Board should first get themselves registered with the Board on filling up an approved application form. This registration shall be valid for five years renewable for a subsequent period of five years on a further application.

(2) Books submitted by publishers or authors not registered with the Board, shall not be considered.

(3) Full name and address of the author of a book, submitted for consideration, should be given by the publishers on each book and the publishers must produce satisfactory evidence that the book is the production of the author named.

(4) Publishers should disclose clearly, while submitting a book, whether they or any of their near relatives have any financial interest in any other firm of publishers.

(5) Publishers or authors should submit seven copies of each book to the Board by the 30th June every year at the latest. They should also send two additional copies of each book in the subject of English and Hindi, and other compulsory subjects, without title page and without even containing the name of publisher or the author (along with 7 copies of the book).

(6) No book shall be sent by the publishers or authors direct to the members of a Committee of Courses.

(7) On the reverse of the title page of each copy of a book (excluding the copies without title page etc.), a slip of paper should be pasted securely containing the following information:—

- (i) Name of the book.
- (ii) Name of the author in full with address.
- (iii) Name of the publisher and his registered number in the Board.
- (iv) Name of the subject.
- (v) Name of class for which intended.
- (vi) Purpose (whether submitted as a text-book or supplementary reading or for library etc.)
- (vii) Price.
- (viii) Number of pages.

(ix) Whether the book was submitted before, and, if so, when ?

(x) Date.

(xi) This is to certify that there has been no infringement of copyright rules in the book entitled.....

(xii) Signature of the publisher.

(8) The words "Specimen", (year), should be stamped boldly on the first page of each book and on several other pages inside the book.

(9) All books should be sent prepaid.

(10) Separate forwarding letters should be sent for books relating to each subject.

(11) If a book is prescribed or recommended by the Board for any examination, the publishers or authors should send two copies of each book for record in the Board. They should also send two copies of the same book whenever they bring out a new edition so long as that book remains in force so that it could be checked with the specimen originally submitted by them.

(12) Canvassing by the publishers or authors for their books will render them liable to be removed from register.

## CHAPTER VII.

### The Finance Committee.

1. The Finance Committee shall act as an advisory body in all matters concerning the finances of the Board.

2. It shall consist of (a) The Chairman, (b) The Director of Education, and (c) Six members elected by the Board, one of whom should be a financial expert.

3. The Secretary of the Board shall act as Secretary of the Committee.

4. The Financial statement and the annual budget estimates of the Board shall be prepared by the Secretary and placed before the Finance Committee before being submitted to the Board.

## CHAPTER VIII.

### The Curriculum Committee.

1. The Curriculum Committee shall consist of (a) The Chairman (b) The Director of Education, (c) The Secretary, and (d) The Conveners of the various Committees of Courses.

2. The duties of this Committee shall be --

(a) To consider the total number of compulsory and optional subjects for each of the Board's examinations;

(b) To arrange the standard of the courses for the High School, Higher Secondary and Intermediate stages in a regular graded order;

(c) To recommend curricula for the Board's Examinations and the syllabus in each subject;

(d) To consider proposals for the introduction of new subjects and the exclusion of existing subjects; and

- (e) To consider questions of the formation of groups of subjects and the alternation of one group with another.

## CHAPTER IX

### 'The Examinations' Committee.

1. The Examination's Committee shall consists of—
  - (i) The Chairman,
  - (ii) The Director of Educations,
  - (iii) Four persons elected by the Board from among the Conveners of various Committees of Courses, and
  - (iv) Three persons, being members of the Board, elected by the Board.
2. The Secretary of the Board shall be the Secretary of the Committee.
3. It shall be the duty of the Examination's Committee subject to the sanction and control of the Board.
  - (a) to order examinations in conformity with the Regulations and to fix dates of holding them;
  - (b) to consider the recommendations of the Committees of Courses with regard to examiners and to prepare lists of examiners for the approval of the Board;
  - (c) to recommend the number of question-papers to be set in each subject after receiving recommendations from the Committees of Courses concerned;
  - (d) to recommend the standard of length for written tests in different subjects after receiving recommendations from the Committees of Courses concerned;
  - (e) to propose maximum and minimum marks for each subject and for each part of a subject after receiving recommendations from the Committees of Courses concerned;
  - (f) to prepare rules for the award of grace marks;
  - (g) to recommend forms of applications to be filled in by candidates applying for permission to appear at examinations; and forms of certificates to be granted to successful candidates;
  - (h) to propose rates of honoraria for examiners and others;
  - (i) to purpose to opening and closing of centres of examination;
  - (j) to suggest the mode of conducting the oral and practical test, if any;
  - (k) to arrange for the moderations of question-papers, and
  - (l) to consider all other matters arising out of the conduct of examinations, and to make recommendations when necessary to the Board.

## CHAPTER X

### The results Committee

1. There shall be a Results Committee for declaration and publication of the results of Board's examinations.

2. The Committee shall consist of the following:—

(1) The Chairman;

(2) The Director of Education;

(3) Three Heads of Institutions from High Schools, Intermediate Colleges and Higher Secondary Schools—one from each—nominated by the Chairman every year;

(4) The Secretary.

3. (1) The decisions taken by the Results Committee with regard to the results of candidates, or cases of unfair means of any kind used by the candidates in connection with the examinations, shall be final.

(2) The following will tantamount to using unfair means:—

(i) Securing admission to an examination by making a wrong statement in the application form, or producing a false document or otherwise;

(ii) Tempering with any entry in the certificate or the statement of marks or any other document that might have been issued to a candidate by the Board or by any other sister institution;

(iii) Giving to or receiving assistance from any other candidate in the examination room;

(iv) Having in possession papers, books or notes in the examination room;

(v) Using or attempting to use any other unfair means during the examination or in connection with the examination;

(vi) Communicating or attempting to communicate with an examiner with the object of influencing him in the award of marks or with the Secretary or any other member of the staff with the object of influencing him in the discharge of his duties in connection with the examination of forgoing any person's signature on the form of application or any other document submitted to the Board;

(vii) Using abusive or obscene language in the answerbook;

(viii) Smuggling in or out an answer-book, impersonifying or doing any other act of misconduct.

4. The Examination results as passed by the Results Committee shall be published in the Rajasthan Gazette.

## CHAPTER XI

### Appointment of Examiners.

#### Notes.

Clause (2) of section 9 of the Act requires the Board to recognise institutions for the purposes of its examinations and admitting them to the privileges of the Board. Clause (h) of sub-section (2) of section 36 requires that regulations should be made providing for the admission of institutions to the privileges of recognition and the withdrawal of recognition. The rules in this Chapter provide for these matters.

1. No person shall be appointed as an examiner in a subject unless he:—

(a) Possesses at least three years' teaching experience in the subject not below the standard of the examination for which he has been appointed examiner and have five years' teaching experience in that subject; or

(b) Possesses five years' experience of working as an examiner in a subject of the standard of the examination concerned of any other recognised public examination of an equal or higher standard; or

(c) Is an educational Inspector, or an administrative officer possessing at least five year's experience of teaching the subject to the standard of the examination or a higher standard; or

(d) Possesses special knowledge of the subject concerned.

2. Head-examiners or Paper-setters shall be appointed from amongst those who have at least—

(a) five year's teaching experience, and.

(b) three year's experience of working as an examiner in the subject for an examination of the Board, or any other recognised public examination of an equal or higher standard.

3. A register of persons eligible for examinership under the above rules shall be maintained by the Secretary of the Board in each subject separately for each examination conducted by the Board.

4. Applications for enrolment in the register should be made in the approved form to the Secretary of the Board. Persons from outside the Board area shall be stated under a separate heading marked 'Externals' for each subject.

5. Any person discovered to have given a wrong information in his application for enrolment shall be debarred from examinership for such period as the Chairman may determine.

6. The Committee of Courses shall ordinarily recommend names of persons for examinership from the Register.

7. The Examination Committee will, after careful consideration of the recommendation made by the Committees of Courses, draw up final lists of examiners for approval of the Board.

8. No person shall be appointed examiner for any examination for more than 3 years consecutively and no one should cease to be an examiner before two years unless his work is found unsatisfactory. However not more than one-half of the examiners appointed in a year shall be replaced next year.

9. There shall be a gap of at least two years before a person is again appointed as an examiner after he has rendered services as an examiner for two or three years consecutively.

10. No person shall ordinarily be appointed examiner in more than one paper in any one year.

11. The examiners shall be selected in rotation from out of the Register, and they should be so appointed that all sections and interests, as far as possible, are adequately represented.



12. Not more than one examiner shall ordinarily be appointed from any one recognised institution in the same paper at one examination.

13. In the case of papers where more than one examiner is appointed, all co-examiners shall conform to the standard of the Head Examiner. The Head Examiner should send detailed instructions for the marking of paper to each sub-examiner with the paper set; so that sub-examiners may know what is required before they begin marking papers.

14. If an examiner is unable to mark the answer-books after setting the question-paper, he shall be entitled to only half the amount of the fees for paper-setting, the other half being paid to the examiner who marks the answer-books for him.

15. If any examiner is for any cause incapable of acting as such or a vacancy arises for any other reason, the Chairman shall appoint an examiner to fill such a vacancy.

16. No one shall be appointed as a paper-setter in any subject for any examination at which any of his near relations intends to appear in that year. Every paper-setter shall, as soon as may be, after his appointment has been made, communicate to the Secretary, if any such relation intends so to appear.

17. The maximum number of answer-books allotted to any examiner in any one year shall not exceed 350.

## CHAPTER XII

### Remuneration to Examiners etc

The following are the rates of remuneration to examiners, tabulators and checkers fixed for the Board's examinations:—

#### I. Intermediate Examinations.

- |   |   |
|---|---|
| 1. For setting a full paper ....  | Rs. 35/-  |
| 2. For marking each answer-book ..  | Re. 1/-   |
| 3. To the Head Examiner in addition the fee from marking answer books.... | Rs. 30/- to be paid in respect of each sub-examiner (if any) working under him no additional fee being paid for re-examining marked answer-books received from sub-examiners or for applying models to them. At least ten models should be supplied to each sub-examiner. |
| 4. For translating a paper ....   | Rs. 20/-  |
| 5. For practical examination (to the external examiners only.) ....       | Re. 1/- per candidate with a minimum fee of Rs. 30/- per centre.  |

6. For setting question-papers for practical examination in a subject. .... Rs. 40/- in each case.
7. For the Head Examiner in each practical examination .... Rs. 10/- per one hundred candidates with a minimum fee of Rs. 50/- and a maximum of Rs. 100/- for the whole work.

Note :—The fee for head-examinership shall be payable only if there are other co-examiners for practical examination in a subject. The question of setting a paper or payment of remuneration in that connection will not arise if there is no-examiner.

### *II. Higher Secondary Examination.*

Same as for Intermediate Examinations.

### *III. High School Examination.*

1. For setting a paper .... Rs. 25/-
2. For setting a paper in Urdu Shikast .... Rs. 10/-
3. For marking each answer-book.... Rs. 0 50 nP.
4. For marking Shikast Sheets .... Rs. 15/- per one hundred candidates.
5. For practical examination per candidate .... Rs. 1/- with a minimum fee of Rs. 20/- per each Centre.
6. To the Head Examiner for checking practical work done by sub-examiners Rs. 10/- per one hundred candidates.
7. To the Head examiner, in addition to the fee for marking answer-books or setting questions. Rs. 20/- on the same conditions as in the Intermediate Examinations.
8. For translating a paper. Rs. 15/-

### *IV. Miscellaneous.*

1. To tabulators for tabulating the results of main examinations. Rs. 30/- per 100 candidates
2. To checkers for checking the results of main examination. Rs. 15/- per 100 candidates
3. To cross-checkers for checking the results of candidates Rs. 15/- per 100 candidates.
4. To tabulators for tabulating the Supplementary Examination results. Rs. 15/- per 100 candidates.
5. To checkers for checking the Supplementary Examination results. .... Rs. 10/- per 100 candidates.

## CHAPTER XIII

Recognition of Institutions by the Board.

1. The Recognised Committee shall consist of—

- (1) The Chairman,
- (2) The Director of Education,

(3) Six persons elected by the Board, of which at least one shall be a Principal of an Intermediate College, one Head-master of a Higher Secondary School, one Headmaster of a High School, one Principal of a Post-graduate College affiliated to the University of Rajasthan or a University Professor, and one Principal of a Degree College, affiliated to the University.

2. The Secretary of the Board shall act as Secretary of the Committee.

3. Its duties shall be to scrutinize applications for recognition, to call for other information necessary for purposes of recognition, and to perform such other duties as may be delegated to it by the Board. It may for the purpose appoint such sub-committees as it considers necessary.

4. An institution desiring to be recognised for the purposes of an examination conducted by the Board shall, not later than the 1st of September in the year preceding that in which it proposes to open classes in preparation for an examination, apply to the Secretary for permission to open classes. The application shall be submitted through the Director of Education, Rajasthan.

5. Each institution applying for recognition as a High School, Intermediate College, or as a Higher Secondary School, shall remit with its application a fee of Rs. 200/-; and Rs. 100/- per subject in case it is for recognition in an additional optional subject or subjects, subject to a maximum of Rs. 200/- provided that the applications for recognition in more than one subject or standard are made at one time.

No application shall be entertained if the same is not accompanied by the fee as stated above.

The aforesaid fee shall also be remitted with applications for permanent recognition.

6. Applications for recognition shall set out in detail the following particulars upon which the Director of Education shall make his report and recommendations:—

- (a) whether there is a real need for the institution in the locality;
- (b) the constitution of the governing body, if any;
- (c) the name of the Manager or Secretary or Correspondent as the case may be;
- (d) the qualifications and grades of pay and conditions of service of the teaching staff;
- (e) the examination or examinations for which it desires recognition;
- (f) the subject or subjects of instruction in which the institution undertakes to make provision;

(g) the accommodation provided in class rooms and in hostels;  
 (h) the provision made for the health, recreation and discipline of scholars;

(i) the financial position of the institution and the source and amount of income;

(j) the scale of fees charged and the provision, if any, for the admission of poor scholars; and

(k) the number of scholars in each class or section of a class.

7. On receipt of this application, the Secretary shall submit it forthwith to the Chairman who shall direct a local inquiry and report on that application. For the purposes of this inquiry, the Chairman shall appoint an Inspector or Inspectors, as he may consider necessary in each case, from a panel constituted by the Board on the recommendation of the Committee of Recognition.

The Chairman may, in any case, either for dearth of suitable persons on the panel, or to strengthen the Inspection Committee, appoint Inspectors from outside the panel.

The report and recommendations of this inquiry shall be submitted by the Secretary to the Recognition Committee.

8. Any other information which the Board may call for in connection with the application shall be supplied by the institution through the Director of Education.

9. In forwarding their report of inquiry to the Board, the persons appointed under Regulation 7 above, shall state whether and in what subjects or on what conditions, recognition should, in their opinion, be granted.

10. No institution shall be recognised or continue to be recognised unless it complies with the following requirements:—

(a) that it shall be under the inspection of the inspecting officers of the Education Department of the State and shall be open to inspection by such other person or persons as the Board may, for purposes of formal inspection, depute independently or associate with such officers;

(b) that in the case of a High School, or a Higher Secondary School, the middle and primary sections of the school continue to be recognized by the Department of Education;

(c) that in the case of an Intermediate College, the High School in connection with which Intermediate classes have been opened continues to be recognised by the Board and the middle and primary sections of the High School continue to be recognized by the Department of Education of the State;

*Note:—*This clause does not apply to the Intermediate classes which form part of Degree Colleges.

(d) that Rules and Regulations issued by the Education Department of the State, so far as they are not inconsistent with the Board's Regulations, are duly followed;

(e) that all information and returns called for from the institution by the Board shall be duly furnished by the Head of the Institution;

(f) that it shall not prepare and send up candidates for a rival examination (High School, Higher Secondary, or Intermediate in Arts, Science, Commerce, or Agriculture Examinations) when an examination of the same nature and similar standard is held by the Board;

(g) that it shall make suitable arrangements for health and recreation of its pupils, which will include the following:—

(a) proper sanitary arrangements;

(b) medical inspection of its pupils at least once a year, followed by proper medical treatment, where necessary;

(c) Physical Education of its pupils consisting of outdoor games or physical exercises;

*N.B.*—Clause (b) shall be optional for girls only.

(h) that it shall provide accommodation at the rate of not less than 12 sq. feet of floor space for each scholar in a class room;

(i) that it shall limit the admission into any class or section of a class to the number of scholars for which there is accommodation in the class room, subject to a maximum of 35 of a class to the number of scholars for which there is accommodation in the class-room, subject to a maximum of 35 scholars in each class or section of a class in High School or Higher Secondary School, and 60 scholars in each class or section of a class in the Intermediate classes:

Provided that if there is adequate accommodation and adequate staff to cope with the extra work involved in the increase in the number of scholars, and the Director of Education is satisfied that the efficiency of work would not suffer, the number of scholars in a class or section of a class in the High School classes may be not more than 45;

(j) that it shall appoint and maintain an adequate number of teaching staff possessing the minimum qualifications as may be prescribed by the Board and on the minimum emoluments as may be recommended under the bye laws framed by the Board for the purpose;

(k) that it shall follow such rules regarding the admission and migration of scholars as may be laid down by the Board;

(l) that if called upon to do so, it shall place its building, staff, furniture, and apparatus at the disposal of the Board to be used for its examinations.

11. If satisfied that an institution is deserving of recognition, the Board shall direct the Secretary to enter its name upon a list of recognised institution to be kept by him, and the Secretary

shall inform the institution through the Director of Education, in which subject, on what conditions, and for what examination or examinations it has been recognised.

12- The Chairman may entertain an application for recognition which is received after the prescribed date and so far as possible arrange for a local inquiry and report on the same. In case, however, there is no time for undergoing the whole procedure, he may, if he is satisfied of the urgency and the Government makes out a special case for his consideration, grant permission pending formal recognition after due inspection, to open classes on an assurance by the Director of Education that the essential staff equipment and accommodation were being arranged and that they will be available before the classes are started, and on an express condition that if as a result of inspection it was found that the institution was not fit for recognition, the classes will have to be disbanded forthwith.

In no case the classes shall be started if the conditions are not fulfilled to the satisfaction of the Chairman.

13. Where an institution desires to add to the subjects of instruction in respect of which recognition has been granted, the procedure prescribed by the foregoing Regulations shall, as far as may be, be followed.

14 An institution recognised by the Board for the purpose of any of its examinations shall submit to the Board, through the Director of Education, Annual Returns giving the personnel and pay of the teaching staff. Any change in the management shall be communicated as soon after the change as, possible.

15. The Director of Education shall forward to the Secretary, copies of all notifications from a recognised institution communicating changes in Management and in the number, qualifications, and salaries of the teaching staff, the result of which in his opinion, affects the fitness of the institution for continued recognition by the Board.

16. The Board shall have every recognised institution periodically inspected. Such inspection for an institution shall be held once in every five years and at shorter intervals, if necessary. The Recognition Committee shall select the institutions for such inspections in each year and, on receipt of the reports recommend to the Board, steps, if any, to be taken on them. The reports with the Committee's opinion shall be submitted to the Board which will take it into consideration at its next meeting and inform the institution of its decision through the Director of Education.

17 If the Director of Education is of opinion that any institution recognised by the Board has, by reason of deterioration ceased to meet the requirements of the Board, he shall make a report of the same to the Board. On receipt of this report, the Board may institute such enquiry as it thinks fit. The report of the enquiry will be submitted to the Board which will take it into consideration at its next meeting and inform the institution of its decision through the Director of Education.

18. In any case in which the Board may decide that action is necessary upon the report, it will first call upon the institution, through the Director of Education, to show cause why such action should not be taken.

19. No action shall be taken by the Board on any report by the Director of Education without first giving the institution concerned an opportunity of making any representation, it may wish to make, through the Director of Education, to the Board.

20. The Board shall, if satisfied that the institution is no longer fit for recognition, direct the Secretary to issue a warning to the governing body, through the Director of Education, that unless within a period fixed by the Board the institution removes the defect or defects, to which attention has been called, its name will be struck off the List of Recognised Institutions, or that its recognition will be withdrawn in one or more optional subjects. The Board shall have power to extend from time to time the period so fixed.

21. If within the time fixed by the Board, or within such further time as may be allowed by it, the institution fails to satisfy the Board that it is conforming to its requirements, the Board shall strike the name of the institution off the List of Recognised Institutions, or shall withdraw recognition in one or more optional subjects.

22. The Board may, at a subsequent date after report by such person or persons as it deems fit, reinstate an institution on the List of Recognised Institutions, or if recognition was withdrawn in one or more optional subjects, restore to it the privileges of preparing candidates therein.

23. No institution shall be recognised in any branch of Experimental Science etc. unless it satisfies the Board:—

(a) that the number of students assigned to a single teacher in practical work at one time does not exceed 20,

(b) that suitable laboratories in each branch of Experimental Science are provided, and each of them is adequately equipped,

(c) that laboratory journals are regularly maintained by the students and kept for inspection, and

(d) that the workshops etc. are provided wherever vocational and technical education is given.

## CHAPTER XIV

### Residence of Students.

1. Where accommodation is available, every student of a recognised institution shall reside in a hostel provided by it, or in a hostel recognised by the Head of the Institution, or with parents or guardian.

2. Where no accommodation is available in a recognised hostel, the Head of an Institution, may permit a student or students to live in lodgings reserved by the keeper thereof for students of recognised institutions provided—

(a) that the lodgings are open to inspection by the Head of the Institution concerned or by any other person or persons deputed by the Board for the purpose; and

(b) that the keeper is willing to submit to the requirements regarding supervision of students laid down by the Head of the Institution or by the Director of Education;

## CHAPTER XV

### Private Candidates.

#### *Notes.*

The regulations in this Chapter have been made for the purposes of clauses (1) (b) and (c) and (4) (b) and (c) of section 9 of the Act.

1. Private candidates shall be eligible to appear at the Board's examinations on the conditions laid down in these Regulations.

2. A candidate who desires to offer himself for examination as a private candidate, should send in an application in the approved form together with the examination fee so as to reach the Secretary not later than the 1st of October, or by 16th of October, if accompanied by a late fee of Rs. 5/, preceding the date fixed for the next ensuing examination, through the Inspector of Schools of the division concerned, or the Head of a recognised High School, Higher Secondary School, or an Intermediate College. He should also forward the original copy of the Scholar's Register granted to him by the institution, if any, at which he last studied.

3. All private candidates other than women candidates appearing at the above examinations of the Board shall affix to their application forms for permission to appear at the examination a miniature size (bust) of their photograph duly attested by the officers forwarding the application forms.

4. Private candidates who have failed to obtain promotion to Class X of any School or Class XII of an Intermediate College (i.e., these who have been detained in Class IX, and the First Year Intermediate Class) shall not be admitted to the next ensuing High School or Intermediate Examination.

Every year in the beginning of the session the Heads of Institutions under the Board should send to the Secretary of the Board, a list of students who have been detained in class IX and the First Year Intermediate class, containing the student's name, his age, his father's name, place of residence and guardian's name.

5. A student who has left an institution at a stage earlier than class IX shall not be permitted to appear at the High School Examination as a private candidate in a year earlier than that in which he would have appeared, if he had continued his studies at a recognised institution up to the High School Examination. This would not apply to women candidates or such other candidates as have not attended a school for at least five years preceding the examination at which they want to appear.



6. Private candidates shall be eligible to appear at the Intermediate in Arts Examination, and the Intermediate Examination in commerce, only if they are—

(i) teachers in educational institutions recognised by the Education Department, who have put in a continuous service as such for at least 18 months immediately preceding the examination at which he intends to appear, or

(ii) women residing in the territorial jurisdiction of the Board, or

(iii) failures at the examination concerned conducted by the Board or the University of Rajasthan in a previous year, or

(vi) ex-students who had fulfilled all the formalities of appearing at the above examinations in a previous year of the Board or the University of Rajasthan, and were eligible to appear at the same but could not appear for reasons of ill-health or some other adequate cause.

7. Candidates shall not be allowed to appear as private candidates at the Intermediate in Science Examination and Intermediate in Agriculture Examination unless they are failures at the examination concerned conducted by the Board or the University of Rajasthan, in a previous year, and had passed at the practical tests in the examination at which they had last appeared. Such candidates will not be required to appear again at the practical tests. The marks previously obtained by them in the practical examination shall be added to the marks secured at the theory examination in order to determine their result.

8. No one shall be allowed to appear as a private candidate at the Higher Secondary Examination, except failures at the same examination conducted by the Board in a previous year. They shall have to offer the same subjects at they offered when they appeared as regular candidates. Those appearing at the examination with Science, Technical, Agriculture or any other Group, which involves a practical examination, shall be allowed to do so only if they had passed at the practical tests. Such candidates will not be required to appear again at the practical tests. The marks previously obtained by them in the practical examination shall be added to the marks secured at the theory examination in order to determine their result.

9. The following certificates shall be submitted by the private candidates who desire to appear under the category of teachers:—

(i) A certificate from the Director of Education to the effect that immediately preceding the date of the examination at which he wishes to appear, he will have served continuously as a teacher for eighteen months in one or more recognised institutions.

(ii) A certificate of character from the Director of Education.

Before being admitted to the examination at which such a candidate has been permitted to appear, he will also be required to Submit a certificate in an approved form signed by the Director of Education to the effect that he has fulfilled the condition laid down with regard to service as a teacher and such a certificate must reach the Secretary not later than 21 days and not before one month preceding the date of the commencement of the examination.

10. Before being admitted to the examination at which she has been permitted to appear, a woman candidate shall be required to submit a certificate in an approved form signed by the officer who originally forwarded her application, to the effect that she has fulfilled the condition in regard to residence within the territorial jurisdiction of the Board. Such certificate must reach the Secretary not later than 21 days and not before a month preceding the date of the commencement of the examination.

11. The failures and ex-students shall submit a certificate from the head of the institution last attended by them that they had failed at a particular examination, or they had satisfied all the requirements of the prescribed course of studies at his institution including the necessary minimum attendance so as to be eligible for admission to that examination.

12. Applications from intending private candidates shall be referred to the Committee of the Board appointed to scrutinize applications from private candidates, which may consist of the Secretary and two Heads of recognised institutions to be nominated by the Chairman every year. The Chairman, after considering the recommendations to the Committee, shall grant or reject the applications.

13. (a) Private candidates for the High School, Intermediate in Arts, and Intermediate in Commerce examinations may change their subjects of examination from those previously offered by them. If more than one academic year has elapsed since their last appearance at the examination, they will not be required to give any reasons for the change.

(b) Private candidates who appeared and failed at any of the above examinations immediately prior to the submission of their application, and desire to offer for the next examination subjects other than those previously offered must give an adequate explanation of the change.

14 Private candidates shall not be allowed to offer the following such subjects for their High School Examination as they involve practical work, even in no practical examination is held in these subjects.—

- (1) Physics and Chemistry (2) Biology (3) Chemistry and Biology (4) Agriculture (5) General Engineering Science (6) Engineering Drawing (7) Wood Workshop Practice (8) Engineering Workshop Practice (9) Hand spinning and

weaving (10) Elementary Agriculture (11) Metal Work (12) Wood Work (13) Tailoring.

Notwithstanding the above provisions, a private candidate may be permitted to offer such a subject or subjects provided that:—

(i) he had put in a satisfactory course and completed all practical work and written work prescribed in the subject for the examination at an institution recognised by the Board in that subject and submits a certificate to that effect from the Head of that Institution. For the purposes of a satisfactory course, 75 per cent attendance at lectures and practical work in the laboratory, farm or workshop of the institution, as the case may be, will be necessary.

OR

(ii) he had studied the subject as a regular student at an institution recognised by the Board but had failed with that subject at the examination of the Board of a previous year and provided that he passed in the practical examination of that subject if a practical examination was held in which a pass was necessary. Such a candidate would be examined in theoretical papers only, and the marks secured by him at the last practical examination would be added to the theory marks in order to determine his result.

15. Candidates residing outside the territorial jurisdiction of the Board shall not be permitted to appear at the Board's examinations as private candidates.

16. Private candidates shall not be allowed to offer for their examination any subject, even if it is recognised for the examination, which is not being taught in a recognised institution or in which no institution is recognised.

17. Private candidates, who passed the Cambridge School Certificate Examination, and intend to appear at an Intermediate Examination, should specify in the application form the standard of attainment in each of the subjects in which they have passed the Cambridge School Certificate Examination as shown in the detailed result of the examination.

18. No candidate shall be admitted as a private candidate at an Intermediate Examination unless two years shall have lapsed since the date of his passing the High School or an equivalent examination, or one year after his passing the Higher Secondary or an equivalent examination.

19. Persons fulfilling any of the following conditions may be admitted as private candidates to the High School Examination in English only i.e., in all the papers of English prescribed for the High School Examination under the compulsory corps as well as optional corps) and shall, if successful, be entitled to a certificate of having passed the examination in English only:—

(a) Persons who have passed the following Public Examination in an Oriental Language (Sanskrit, Persian or Advance Hindi, Urdu or Arabic) recognised by the Board:—

(1) Maulvi, Alim, Mulla (now defunct), and Fazil in Arabic and Munshi and Kamil in Persian conducted by the Education Department of the U.P., the Diploma Examinations in Arabic and Persian conducted by the Lucknow University and the Munshi (Proficiency in Persian) Munshi, Alim (High Proficiency in Persian), Munshi Fazil (Honours in Persian), Maulvi (Proficiency in Arabic), Maulvi, Alim (High Proficiency in Arabic and Maulvi Fazil (Honours in Arabic), conducted by the Punjab University.

(2) The Sanskrit Examination conducted by the Banaras Government Sanskrit College, the Banaras Hindu University, the Punjab University, the Education Department, Rajasthan, and the Sanskrit Title Examination of the Calcutta Sanskrit Association.

(3) The Madhyama and Sahitya Visharad Examinations of the University of Rajasthan.

(4) The Examination in Advanced Urdu, conducted by the Education Department of U.P., and the Adibe (Proficiency in Urdu), Adibe Alim (High Proficiency in Urdu) and Adibe Fazil (Honours in Urdu), conducted by the Punjab University.

(5) The Examination in Advanced Hindi, conducted by the Education Department of U.P., and the Ratan (Proficiency in Hindi), Bhushana (High Proficiency in Hindi), and Prabhakar (Honours in Hindi), conducted by the Punjab University, and the Central Board of Secondary Education, Ajmer, and Kovid (for High School Examination only) and Ratan examinations conducted by Rastra Bhasha Prachar Samiti, Wardha.

(6) The Visharad (Madhyama) Examination held by the All-India Sahitya Sammelan, Allahabad.

(7) The Vidushi (Ordinary), Vadushi (Honours), and Vidya Vinodini Examinations held by the Prayag Mahila Vidyapith, Allahabad.

(b) Drawing Master or Manual Training Instructors, or Teachers in a vocational or technical subject or Physical Training Instructors working in institution recognised by the Board, or in Normal Training Schools recognised by the Education Department, Rajasthan.

19. A candidate who holds a certificate of having passed the High School Examination in all subject may be accepted as a fulfilment of the condition of passing in English required in this Regulation, provided the candidate has also passed a recognised

Public Examination in an Oriental Language. High School Examination in English only under these Regulations or of having passed an examination, equivalent to the High School Examination in English only, under similar conditions, may be admitted as a Private candidate to the Intermediate Examination in English only (*i.e.* in General English and English Literature) provided at least one academical year shall have elapsed since the date of his passing the High School, or equivalent examination, in English and such a candidate shall, if successful, be entitled to a certificate of having passed the Intermediate examination in English only.

## CHAPTER XVI

### Examinations, Enrolment and Migration.

#### General Rules

##### *Notes.*

The regulations of Chapter XVI and XVII are meant to meet the requirements of clauses [6] and [7] of section 9 and clauses [e] and [f] of sub-section [2] of section 36 of the Act.

1. The Board shall conduct the following examination:—

- (a) The High School Examination;
- (b) The Higher Secondary Examination;
- (c) The Intermediate in Arts Examination;
- (d) The Intermediate in Science Examination;
- (e) The Intermediate in Commerce Examination;
- (f) the Intermediate in Agriculture Examination;
- (g) Examinations for the award of Diplomas or certificates in such other branches of study as the Board may from time to time prescribe.

2. The Board's examinations shall be held at such centres and on such dates and at such time as the Board may from time to time appoint.

3. The tests at the Board's examinations may be written or partly oral or practical and partly written. Oral and practical tests shall be carried out by the examiners appointed by the Board in such manner as the Examinations' committee may prescribe from time to time. Written tests shall be by means of question papers, and the question papers shall be given out simultaneously at every centre at which the examination is being held.

4. Every candidate for admission to an examination, other than the Supplementary Examination, from an institution recognised by the Board shall, not later than 10th December, each year—

- (a) Pay the fee prescribed for the examination together with a fee of Re. 1/- for communicating paper-wise marks in each subject;
- (b) state the optional subjects in which he desires to present himself for examination; and
- (c) furnish the Secretary with a certificate from the Head of the institution showing that he has completed a regular cou-

rise of study (including practical work and experiments in the case of subjects which involve practical work) and that he is of good character.

5. the following fees shall be paid in respect of the examination held by the Board:—

- (1) High School Examination. Rs. 20/- by each candidate from a recognised institution.  
Rs. 25/- by each private candidate.
- (2) Higher Secondary Examination. Rs. 25/- by each candidate from a recognised institution.  
Rs. 30/- by each private candidate.
- (3) Intermediate in Arts, Science and Commerce Examinations. Rs. 25/- by each candidate from a recognised institution.  
Rs. 30/- by each private candidate.
- (4) Intermediate in Agriculture Examination Part I. Rs. 20/- by each candidate from a recognised institution.  
Rs. 25/- by each private candidate.
- (5) Intermediate in Agriculture Examination Part II. Rs. 25/- by each candidate from a recognised institution.  
Rs. 30/- by each private candidate.
- (6) Examination in one subject only. Rs. 8/-
- (7) Examination in more than one subject. Rs. 5/- for each subject.
- (8) Fee for checking the result of candidates. Rs. 10/- per candidate.
- (9) Fee for checking the result of candidates appearing in one subject only. Rs. 4/- per candidate.
- (10) Fee for communicating paper-wise marks in each subject, obtained by a candidate at an examination. Rs. 1/- per candidate.
- (11) Fee for communicating paper-wise marks in one subject, obtained by a candidate at an examination, having appeared in that subject only. Rs. 1/- per candidate.

6. A candidate who fails to pass or is unable to present himself at the whole or a part of an examination conducted by the Board

shall not receive a refund of his fees; unless—

(i) a candidate dies before the commencement of the examination,

(ii) a candidate is detained from appearing at the examination on account of shortage in percentage of attendance,

(iii) a candidate is declared ineligible to appear. Provided that refund shall in no case be given to candidates whose forms have been rejected on account of their producing a false certificate or making a false statement in the form of application or who has failed to produce documents subject to production of which he was declared eligible.

7. A candidate, who from sickness or other adequate cause is unable to present himself for an examination shall not be entitled to refund of his fees provided that the Board, on application from a candidate who absented himself from the examination, may permit him to present himself at the next ensuing examination or failing that also at the next following examination without payment of any further fee, his fee being held over for the next examination. In such a case the application of the candidate supported by a proper medical certificate from a recognised medical practitioner (or a duly qualified Hakim or Vaidya) or other evidence to show that his absence from the examination was unavoidable, must reach the Secretary within one month after the commencement of the examination at which a candidate is unable to appear and it should be sent through the officer who originally forwarded his application for appearing at an examination:

Provided that this concession does not apply to a candidate who absents himself from a part of the examination.

8. The Secretary shall, after satisfying himself that a candidate has complied with all the requirements for admission to an examination of the Board, furnish the candidate with a card of admission, on presentation of which to the Superintendent of the examination centre, the candidate shall be permitted to sit for the examination.

9. Notwithstanding anything contained in these Regulations, no candidate who has been expelled or is still undergoing rustication shall be admitted to any examination of the Board. a candidate under expulsion shall not be allowed to appear at any examination as a private candidate for one year from the date of expulsion.

10. The Secretary, if satisfied that a candidate's admission card has been lost or destroyed, may grant a duplicate card on payment of a further fee of Re. 1/-.

11. Except when otherwise provided in these Regulations, the names of candidates who have passed an examination of the Board shall be placed in three divisions, and further, the names of students from the recognised institutions shall be grouped according to the institution in which they have studied.

12. A candidate who has failed in an examination may present himself for one or more subsequent examinations, provided that he shall on each and every such occasion satisfy the Board that he has fulfilled the conditions laid down in the Regulations for the admission of candidates to the Board's examinations.

13. A candidate who has appeared at an examination of the Board may apply to the Secretary for the scrutiny of his marks and the rechecking of his result in accordance with the following rules:—

1. Such application must be made within one month from the date of the declaration of results at the Board office.

2. All such applications must be accompanied by the laid down fee which must be sent to the Secretary by Money Order only.

3. No candidate shall be entitled to a refund of the fee unless as a result of the scrutiny, a mistake affecting his examination result is detected.

4. If on scrutiny and rechecking a mistake in the result is detected, the result of the scrutiny shall be at once notified. In all other cases the result of the scrutiny shall be communicated to the candidate, as soon as possible, through the Officer who forwarded his application.

5. The work of scrutiny does not include re-examination of the answer-books of a candidate. It consists of rechecking the marks entered in the answer-books with a view to seeing whether there has been any mistake in totalling the marks assigned to individual questions or in the form of omitting the marks assigned to any question.

14. A candidate who has fulfilled the conditions laid down for admission to one of the Board's examinations will not be detained from appearing at that examination, unless the Chairman of the Board permits the Head of the Institution concerned to detain him for adequate reasons fully submitted by him in writing to the Chairman.

15. Duplicate copies of certificates of examinations conducted by the Board shall not be granted except in cases in which the Board is satisfied by the production of an affidavit on a stamped paper of the value of two Rupees through the Head of the Institution from which the applicant passed the examination, or in the case of private candidates, through the officers who had forwarded their application forms for permission to appear at the examination, that the applicant has lost his certificate, or that it has been destroyed and that the applicant has a real need for a duplicate copy of his certificate. In such cases a duplicate of a certificate may be granted on payment of a fee of Rs 5/-.

The application and the affidavit should be in the form approved by the Board.

16. Students who after passing an examination from a Board or University which has been recognised by the Board as equivalent.



its High School Examination or Higher Secondary Examination, seek admission to class XI or Class XII of an Intermediate College, within the jurisdiction of the Board, shall before they are admitted, be required by the Principals of colleges, to which they seek admission, to produce an eligibility certificate signed by the Secretary of the Board on payment of a fee of Rs. 2/-. Applications for such a certificate should be made to the Secretary on a printed form, to be obtained from the office of the Secretary. The Eligibility Certificate should be obtained by the 15th September.

17. A duplicate copy of the Eligibility Certificate, in case the original copy is reported to have been lost, shall be issued by the Secretary on receipt of a fee of Re. 1/-.

18. All students seeking admission to an Intermediate Examination of the Board shall be required to be enrolled on payment of a fee of Rs. 2/- to be paid once only irrespective of the number of times a candidate appears at the examination or whether he appears as a college student or as a private candidate. The application for enrolment shall be submitted to the Secretary through the Principal of the College concerned by the first of October in the year in which he first joins the College and by a private candidate through the Officer who forwards his application for admission to the examination by the same date in the year preceding the year he will first take his examination. On enrolment, the Secretary shall issue an enrolment Certificate to each candidate showing the enrolment number under which his name has been registered, which shall be stated by the student in all his applications for admission to the examinations of the Board.

Candidates who are not enrolled by the prescribed date, either for submitting their applications and fee late, or for want of a migration certificate, shall be required to pay a further fee of Rs.3/- in each case and no candidate who is enrolled later than the 31st of December of the year preceding the year of examination will be permitted to sit for the ensuing examination and no refund of any of the fees paid by a candidate till then will be permissible.

A duplicate copy of the enrolment certificate shall be granted on payment of a fee of Re. 1/-.

19. Paper-wise marks obtained by the candidates in each subject, at any examination held by the Board, shall be communicated to them after the declaration of the results on payment of a fee of Re. 1/- which shall be deposited along with the Examination fee. The marks shall be supplied to a regular candidate through the Head of the institution concerned and to a private candidate direct by post.

The fee shall not be refunded except under the circumstances mentioned in Regulation 6. In the case of a candidate whose examination fee is withheld under Regulation 7, the fee for the supply of marks shall also be taken to have been automatically withheld for the examination in the ensuing year.

A duplicate copy of the marks, in case the original one is reported to have been lost, destroyed or miscarried, shall be issued by the Secretary on receipt of a fee of 0.50 nP.

20. Any candidate who has been declared successful at an examination of the Board after the declaration of his result, before the certificate is delivered to him, may apply to the Secretary for a provisional certificate for passing that examination. The application should come through the officer who forwarded the application of the candidate for appearing at the examination together with a fee of Rs. 2/- if, however, the certificate is urgently required and the application does not come through the forwarding officer, a fee of Rs 5/- must be sent to the Secretary.

21. A migration certificate, shall on application be issued on payment of a fee of Rs. 5/- by the Secretary in cases where it is required for migration to other Boards or Universities.

22. Duplicate copies of the following certificates shall be granted by the Secretary if he is satisfied that the original certificate was miscarried in post or did not reach the applicant, or for any other bonafide reasons on payment of a fee of the value of two Rupees in each case;—

(1) Certified copy of marks.

(2) Migration certificate.

## CHAPTER XVII

### *Supplementary Examinations.*

1. A Supplementary Examination shall be held, not later than August 15, every year for candidates who having appeared in all subjects at the immediately preceding, High School, Higher Secondary, Intermediate in Arts, Intermediate in Science, Intermediate in Agriculture and Intermediate in Commerce Examinations, fail in one subject only.

Provided that in the case of High School and Higher Secondary Examinations, a candidate should have either obtained at least 40 per cent of the aggregate number of marks allotted to the remaining subjects; or

Obtained at least 20 per cent marks in the subject in which he failed.

Provided further that if a candidate fails in a subject which involves practical examination, he shall have passed at the practical examination in order to qualify himself for admission to the supplementary examination and such a candidate shall not be examined in practicals again.

Such candidates who take the Supplementary Examination may be provisionally permitted at their own risk by the Principal of the college to join the next higher class in an institution recognised by the Board, pending the result of the Supplementary Examination and count attendance in case they are successful at the Supplementary Examination.

The attendance of a candidate who joins the next higher class on the declaration of the result of the Supplementary Examination and of those who, having failed at the Supplementary Examination rejoin an institution, may be calculated from the date of admission but not later than a week after the declaration of the Supplementary Examination result;

2. Candidates shall be declared to have passed the examination if they secure 33 per cent of the marks in the subject in which they appear at the Supplementary Examination. No division shall however be awarded to such candidates.

3. A candidate who desires to appear at an examination under these Regulations, shall submit his application to the Secretary, in a prescribed form through the Officer who had forwarded his application for appearing at the Annual Examination, so as to reach him not later than the 15th of July each year, together with the full fee as prescribed for the main examination and a marks-fee of Re.1/-.

All candidates, other than women candidates shall affix to their application forms a miniature size (bust) of their photographs, duly attested by the officer forwarding their application forms.

4. A Candidate who is successful at the Supplementary Examination will be awarded a certificate in the form approved by the Board.

5. A candidate who fails to pass or is unable to present himself at the Supplementary Examination shall not receive a refund of his fee:

Provided that if a candidate dies before the commencement of the examination, his examination fee shall be refunded.

6. The Secretary shall after satisfying himself that a candidate has complied with all the requirements for admission to the Supplementary Examination of the Board furnish the candidate with a card of admission on presentation of which to the Superintendent of the examination centre the candidate shall be permitted to sit for the examination.

7. The result of Supplementary Examination shall be published under the orders of the Chairman and no meeting of the Results Committee will be necessary.

8. A candidate who has appeared at the Supplementary Examination of the Board may apply to the Secretary for the scrutiny of his marks and the rechecking of his result in accordance with the rules framed by the Board for the Scrutiny of marks at the annual examinations.

#### notes

The regulation in Chapter XVIII, XIX and XX are meant to meet the requirements of clauses [1], [2], [3], [4], [6] and [7] of section 9 and Clauses [b], [c], [d], (e) and (f) of sub-section (2) of section 36 of the Act.

## CHAPTER XVIII

### *High School Examination.*

1. Every candidate for the High School Examination shall be examined in five subjects included in the Compulsory group and two subjects from the Optional groups, subject to the proviso mentioned against each group.

#### *Compulsory.*

1. Hindi.
2. English.
3. General Science,  
(Physics, Chemistry and Biology-including Hygiene).
4. Social Studies.
5. Elementary Mathematics.

#### *Optional.*

*Group I.*—One of the following:—

1. Urdu.
2. Hindi.
3. Gujrati.
4. English.
5. French.
6. German.

*Group II.*—One of the following:—

1. Sanskrit.
2. Persian.

*Group III.*—One or two subjects of the following:—

1. History.
2. Geography.
3. Civics with Indian Administration.
4. Elementary Journalism.

*Group IV.*—Mathematics.

*Group V.*—One or two subjects from the following —

1. Drawing and Painting.
2. Music.
3. Home Science (for women candidates only).

*Group VI.*—Both subject to be taken:—

1. Mathematics.
2. Physics and Chemistry.

*Group VII.*—Both subjects to be taken:—

1. Physics and Chemistry.
2. Biology.

*Group VIII.*—Both subject to be taken:—

1. Chemistry and Biology.
2. Agriculture.

*Group IX.*—Any four papers from the following:—

- |                         |          |
|-------------------------|----------|
| 1. Book-keeping         | 1 paper. |
| 2. Commercial Geography | 1 paper. |
| 3. Business Methods     | 1 paper. |

- |                        |          |
|------------------------|----------|
| 4. Hindi Typewriting   | 1 paper. |
| 5. English Typewriting | 1 paper. |
| 6. Hindi Shorthand     | 1 paper. |

*Note 1.*—Four papers from the above group will be deemed equivalent to two subjects.

2.—The candidate has to obtain minimum pass marks in all the papers put together, *i.e.*, in the group as a whole.

*Group X.*—Two subjects from the following Vocational group, one of which should be Engineering Drawing:—

1. General Engineering Science.
2. Engineering Drawing.
3. Wood Workshop Practice.
4. Engineering Workshop Practice.

*Group XI.*—One of the following vocational subjects, along with allied Mathematics, Drawing and Accounts:—

1. Hand-spinning and Weaving
2. Elementary Agriculture, with--
  - (a) Fruit Preservation and canning, or
  - (b) Bee-keeping, or
  - (c) Poultry Farming, or
  - (d) Dairy Farming.
3. Metal Work.
4. Wood Work
5. Tailoring.
6. Leather Work.

A candidate offering a subject from this group will not be required to offer a second optional subject.

*Note.*—(1) A candidate who desires to offer more than two subjects from under the optional subjects may be allowed to offer three subjects with the permission of the headmaster of the school provided the high school in which he is prosecuting his studies is recognised in that subject and the instructions for offering subjects from the groups are complied with. Such a candidate shall have to pass in two optional subjects only, but the two in which he passes must conform to the grouping restrictions. If he passes in the third subject also, an entry to that effect will be made in his certificate.

(2) A candidate who has passed the High School Examination of the Board may present himself for examination in any subsequent year in one or more optional subjects in which he has not previously passed the High School Examination, and such a candidate shall, if successful, be entitled to have an entry made in the certificate already granted to him, certifying in which additional subject or subjects, he has passed provided that if he wishes to appear in a subject or subjects, which involve practical work, he should produce satisfactory evidence that he has completed the practical course prescribed for the subject in an institution recognised by the Board for the High School standard in that subject.

2. There shall be one paper for each of the compulsory subjects. and two papers in each of the optional subjects excepts for the following where the number of papers and/or practical is given against each:—

- |  |                                  |
|--|----------------------------------|
| 1. Music.  | One paper and one practical.     |
| 2. Home Science.   | Two papers an one practical.     |
| 3. General Engineering<br>Science, Engineering<br>Drawing, Wood-workshop<br>practice, Engineering<br>workshop practice | One paper and a practical test.  |
| 4. Vocational subjects<br>under group XI.  | Two papers and a practical test. |

Each paper shall be of  $2\frac{1}{2}$  hours duration, and shall carry 50 marks unless otherwise mentioned in the prospectus. Total marks in the subjects which have one paper and one practical, or subjects which have two papers, or two papers and one practical, shall be 100, equally divided between the papers and practical unless otherwise mentioned in the prospectus. The marks in the vocational subjects under Group XI shall be as follows:—

Paper I	60 marks.
Paper II	60 marks.
Practical	80 marks.

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Total	200 marks.
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3. A candidate is not entitled to a certificate of having passed the High School Examination unless he qualifies separately in each subject of the compulsory group and each subject of the optional group offered by him thereat. The pass percentage for each subject or a portion of the subject if so required in the prospectus, shall be 33.

The minimum percentage of marks required for a pass in first and second divisions shall be 60 and 45 per cent respectively in the aggregate. For distinction 75% of the aggregate marks in a subject shall be the minimum. All the rest will be given third division if they obtain the minimum pass in each subject.

*N.B.*—Distinctions will not be awarded in individual compulsory subjects but in the full group of all the compulsory subjects taken as a whole, i.e. candidates scoring an aggregate of 75% (i.e. 188 marks at least) in the compulsory subjects taken together, will be given distinction.

4. Diaries shall be kept by all teachers employed in teaching classes preparing for the High School Examination showing the work done in class in each subject taught by them and such diaries shall be inspected by the oral or practical examiners or by such other authorities as the Board may depute.

5: The question paper set and the written answer-books of all-candidates at the terminal examinations shall also be subject to inspection in such manner and by such authorities as the Board may direct.

6. The head of the institution shall furnish the oral or practical examiner or such other authority as the Board may appoint, with a list of the candidates undergoing examination in the subject or subjects with which he is concerned and shall make an entry against each name regarding the proficiency of the candidate as judged by his record therein during the course of study prescribed for the examination.

7. Candidates for the High School Examination are permitted to answer question in English, Urdu, of Hindi, in all subjects other than English.

8. Candidates who have passed the Junior Cambridge (Junior Local) Examination in five such subjects (of which one shall be Hindi), as are recognised for the High School Examination of the Board, may be admitted to the High School Examination in the academic year following that in which they pass the Junior Cambridge Examination.

## CHAPTER XIX

### *Higher Secondary Examination.*

1. A candidate for the Higher Secondary Examination shall have attended a regular course of study for three academic years prescribed by the Board. He shall be required to take for his examination the following compulsory subjects, and the number of optional subjects as noted against each, from any of the groups mentioned below:—

#### Compulsory.

- (i) Hindi.
- (ii) General English.
- (iii) Social Studies.
- (iv) General Science.
- (v) One Craft out of the following:—
  - (a) Spinning and weaving,
  - (b) Wood Work,
  - (c) Metal Work,
  - (d) Tailoring,
  - (e) Workshop Practice,
  - (f) Leather Work,
  - (g) Gardening,
  - (h) Elementary Agricultural Engineering,
  - (i) Domestic Science (Compulsory for girls not taking Home Science group under optionals),
  - (j) Embroidery and Knitting Work,
  - (k) Clay Modelling and Papier-Mache.

N.B.—For candidates taking Agriculture group under optionals, the Crafts shall be the following of which any one may be taken:—

- (i) Wood Work,
- (ii) Metal Work,
- (iii) Elementary Engineering.

Optionals.

*Group I.—Humanities:* (Any three to be selected):—

- (i) Elements of Economics and Civics;
- (ii) Elements of Psychology and Logic;
- (iii) Sanskrit;
- (iv) History;
- (v) Geography;
- (vi) Mathematics;
- (vii) Advanced English or Hindi or any other Indian or Foreign Languages;
- (viii) Persian;
- (ix) Music.

*Group II.—Sciences:* (Any three to be selected):—

- (i) Physics;
- (ii) Chemistry;
- (iii) Biology;
- (iv) Geography;
- (v) Mathematics.

*Group III.—Commerce:* (Three subjects to be taken—(i) and (ii) are compulsory, and out of (iii), (iv), (v), and (vi) any one may be selected :—

- (i) Commercial Practice.
- (ii) Book keeping.
- (iii) (a) Commercial Geography.  
(b) Elements of Economics.
- (iv) Shorthand and Typewriting in English.
- (v) Shorthand and Typewriting in Hindi.
- (vi) Typewriting in English and Hindi.

*Group IV—Agriculture:*—(Three subjects to be taken—(i) is compulsory, and out to the rest any two to be selected):—

- (i) General Agriculture;
- (ii) Animal Husbandry;
- (iii) Horticulture and Gardening;
- (iv) Agriculture Chemistry with Biology;

*Group V—Fine Arts:*—(Any of the following Sections to be offered):—

*Section A.—Drawing and Painting:*—(Three subjects to be taken from either of the groups—No. 1 is compulsory in each case and any two from 2, 3 and 4):—

*Group A—*

- 1. History of Indian Painting (compulsory);
- 2. Painting;



3. Designing and Still Life;

4. Murals and Frescoes;

*Group B—*

1. History of Indian Painting (Compulsory);

2. Technical Drawing;

3. Commercial Art;

4. Engraving.

*Section B.—Modelling:—*(Three subjects to be taken—No. 1 is compulsory and any two from 2, 3 and 4):—

(1) History of the Art of modelling—compulsory;

(2) Clay Modelling;

(3) Papier Mache Work;

(4) Plaster Moulding;

*Section C.—Music and Dancing:—*(Three subjects to be taken—No. 1 and 2 are compulsory and any one from 3, 4 and 5):—

(1) History of the Art of Music—(compulsory);

(2) Tabla or Mridang—(compulsory);

(3) Vocal Music;

(4) Instrumental Music;

(5) Dancing (Kathak Style or Bharat Natyam)

*Group VI.—Home Science; (Any three to be selected):—*

(i) Home Economics;

(ii) Mother Craft, Child care and Child Psychology;

(iii) Physiology, Hygiene, Home Nursing and First Aid;

(iv) Nutrition and Cooking;

(v) Sewing and Laundry.

*Group VII.—Technical:—*There shall be two alternative courses A and B in this group. Candidates offering these courses will not be required to take up the compulsory subjects as given in the beginning of this regulation. Course A be offered by such candidates as desire to go for Engineering studies. Course B would provide foundation for training in Craftmanship.

*Course A.—*(The following subjects include all compulsory and optional subjects for the course):—

(i) Hindi;

(ii) General English;

(iii) Social Studies;

(iv) Mathematics;

(v) Physics;

(vi) Chemistry;

(vii) General Engineering (Theory);

(viii) General Engineering (Practical)—5 Trades.

*Course B.—*

*Compulsory*

(i) Hindi,

(ii) General English;

(iii) Social Studies;

(iv) General Science;

(v) Engineering Drawing;

*Optional*.—(Any one of the following groups):—

(i) General Mechanics Course;

(ii) Radio Mechanics Course;

(iii) Electricians' Course;

(iv) Motor Mechanics Course;

2. There shall be one paper for each of the compulsory subjects and two papers and/or practical tests in each of the optional subjects, except where it is mentioned otherwise in the Prospectus.

3. Each paper shall be of three hours duration. The compulsory subjects shall be of 100 marks each and marks assigned to every optional subject including practical tests. If any, shall be 200 and each optional subject shall consist of two papers of 100 marks each unless otherwise mentioned in these Regulations or Prospectus.

4. The total number of marks for the compulsory and optional papers will be the same for all groups, viz: 1100.

5. A candidate is not entitled to a certificate of having passed the Higher Secondary Examination unless he qualifies separately in each subject of the compulsory group and in each subject of the optional group offered by him thereat.

The Pass percentage in each subject, or a portion of the subject, if so required in the prospectus, shall be thirty-three.

The minimum percentage of marks required for a pass in First and Second Divisions shall be 60 and 45 percent respectively in the aggregate. For distinction 75% of the aggregate marks in a subject shall be minimum. All the rest will be given third division if they obtain the minimum pass marks in each subject.

6. No candidate shall be permitted to be transferred from the High School course to the Higher Secondary course, or *vice versa*.

## CHAPTER XX

### *Intermediate Examinations.*

#### *(General)*

1. Before entering upon the courses of study prescribed for the Intermediate in Arts, Science, Commerce or Agriculture examinations, every candidate shall be required to have passed the Board's High School Examination or to have passed an examination which by Regulation 2 is declared equivalent to the High School Examination of the Board.

2. The following examinations are declared equivalent to the Board's High School Examination for the purpose of enabling a candidate to enter upon the courses of study prescribed for the Intermediate Examinations:—

(1) The High School Examination conducted by the University of Rajasthan,

(2) The High School Examination of the Board of High School and Intermediate Education, United Provinces,

- (3) The High School Examination of the Board of High School and Intermediate Education Rajputana, Central India and Gwalior (now Central Board of Secondary Education, Ajmer),
- (4) The Matriculation Examination of the Universities of Allahabad, Bombay, Calcutta, Madras, Andhra, Patna, Jammu and Kashmir, Gauhati, Utkal, Banaras (Admission Examination), and Aligarh (High School Examination),
- (5) S.S.L.C. Examination of Madras University,
- (6) The Cambridge School Certificate (formerly called Senior Local) Examination, provided that a candidate has passed in five of such subjects as are recognised for the High School Examination of the Board,
- (7) The Higher Secondary or the Higher Secondary Technical Certificate Examination of the Board of Higher Secondary Education, Delhi Province,
- (8) The Diploma Examination of the Chief's Colleges,
- (9) The High School Examination for European Schools in the Central Provinces and other provinces,
- (10) The High School Certificate Examination of the Board of High School Education, Central Provinces,
- (11) The Anglo Vernacular High School and English High School Examination of Burma.
- (12) The London University Matriculation Examination,
- (13) The English School Leaving Certificate Examination of Travancore State,
- (14) The High School Leaving Certificate Examination of Hyderabad [Deccan], provided a candidate has passed in class I or class II,
- (15) The Higher Secondary Certificate Examination conducted by the Board of Secondary Education, Hyderabad [Deccan], subject to the condition that a minimum of 33 per cent of the marks in each subject has been obtained,
- (16) The Secondary School Leaving Certificate Examination of Mysore, provided a Candidate has been declared eligible for admission to a University course,
- (17) The Diploma Examination of the Royal Indian Military College, Dehra Dun, so long as the syllabus and the standard of the examination continue to be the same as those of the examinations recognised in the foregoing clause [8],
- (18) The High School Examination of the Board of Secondary Education, Delhi, provided a candidate has passed the examination in five subjects excluding (except in the case of women candidates) Domestic Science,
- (19) The Matriculation Examination of the Punjab University, provided the candidate has passed the examination in five subjects,

- (20) The Cochin State S.S.L.C. Examination subject to the condition that the candidates passing the examination are held eligible for admission to Madras University,
- (21) The S. L. C. Examination conducted by the Government of Nepal, provided a candidate has passed the examination in class I or class II.
- (22) The High School Examination conducted by the Board of Intermediate and Secondary Education, Dacca,
- (23) The Indian Air Force Matriculation Test,
- (24) The Indian Army Special Certificate of Education,
- (25) Qualifying Examination of the Delhi University for admission to the three year degree course of the Delhi University,
- (26) S. S. L. C. Examination of the Government of Bombay provided a candidate has passed in seven subjects obtaining not less than 35% marks in each subject,
- (27) High School Examination of the Board of Secondary Education, Madhya Bharat, Gwalior,
- (28) The Secondary School Examination of the Bihar Examination Board, Patna,
- (29) The General Certificate of Education (Ordinary) of the London University,
- (30) Matriculation Examination (old) of Osmania University, Hyderabad (Deccan),
- (31) High School Examination of the Vishwa Bharti Shantiniketan,
- (32) The British Civil Services Commission Forces Preliminary examination.

Provided that students who have passed the Cambridge school Certificate (Senior Local) Examination in five such subjects as are recognised for the High School Examination of this Board, may be admitted to the Senior Intermediate class of the academic year following their pass in the Cambridge Examination;

Provided further that students who have passed the Qualifying Examination for admission to the three year degree course of the Delhi University or the Higher Secondary or Higher Secondary Technical Certificate Examination of the Board of Higher Secondary Education, Delhi, may be admitted to the Senior Intermediate class provided a candidate takes the same subject or subjects which he had offered for any of the above examination concerned and passes a test to be held by the Principal of the college to which he seeks admission.

3. No candidate shall be admitted to any Intermediate Examination unless two academic years shall have elapsed since the date of his passing the High School or an equivalent examination; unless it is otherwise provided for in these Regulations.

4. A student who has passed the Higher Secondary Examination of the Board or an examination declared equivalent thereto may be admitted to the Second Year Class of an Intermediate College within the jurisdiction of the Board, provided that he offers the same subjects at an Intermediate Examination of the Board as he had offered for his Higher Secondary or an equivalent examination.

5. A student, who, after passing High School Examination of the Board or an examination recognised by the Board as equivalent thereto, has kept one academic year for the Intermediate examination at a college affiliated to a recognised Board of Secondary Education, or to a recognised University enacted by Law; and been duly promoted to the Second Year Intermediate Class in that College, may be allowed to migrate to the Second Year Class of an Intermediate College within the jurisdiction of this Board, provided that—

(i) the migration has been necessitated owing to the transfer of his parents which should be duly certified;

(ii) the student will study the same subjects in the Second Year Class of the College to which he migrates in the Board's area that he studied in the Intermediate class of the college from which he migrates.

N.B.—This clause shall not authorise any college to which a student migrates in the Board's area to teach subjects in which it is not recognised by the Board.

(iii) the attendance put in by the candidate at the College from which he migrates will be counted towards his total attendance required for attending at the examination.

(iv) the head of the institution has no objection to his transfer.

6. The minimum number of marks required to pass an examination shall be as laid down in the Statements of maximum and minimum number of marks assigned to various subjects for these examinations as may be approved by the Board from time to time.

To pass an examination, candidates must pass in all the subjects taken by them.

#### INTERMEDIATE IN ARTS EXAMINATION.

7. Every candidate for the Intermediate in Arts Examination shall be examined in the following subjects:—

##### Compulsory Subjects.

1. General English.
2. General Science

##### Optional Subjects (Any 3 of the following).

1. English Literature
2. A Classical Language, viz., Sanskrit, Arabic or Persian.
3. A Modern Indian Language (Hindi or Urdu) or a Modern European Language (German or French).
4. History and Allied Geography.

5. Geography.
6. Logic and Psychology.
7. Economics.
8. Mathematics.
9. Civics.
10. Drawing and Painting.
11. Music.
12. Home Science.

8. A candidate who has passed the Intermediate Examination in Arts or Science of the Board or of the University of Rajasthan, may appear at a subsequent Intermediate in Arts Examination or Examinations conducted by the Board in one or more optional subjects in which he has not previously passed the Intermediate Examination.

Such a candidate, if successful, shall be awarded a certificate of having passed the examination in the subject or subjects concerned.

#### INTERMEDIATE IN SCIENCE EXAMINATION.

9. Every candidate for the Intermediate in Science Examination shall be examined in the following subjects:--

##### Compulsory Subjects.

1. General English.
2. Social Studies.

##### *Optional Subjects (Any 3 of the following).*

1. Mathematics.
2. Chemistry.
3. Physics.
4. Biology.
5. Geography.
6. Home Science.

10. A candidate, who has passed the Intermediate Examination in Science of the Board or that of the University of Rajasthan, may appear at a subsequent Intermediate in Science Examination or Examinations conducted by the Board in one or more optional subjects in which he has not previously passed the Intermediate Examination; provided that in the case of a subject for which practical work or a practical examination is prescribed, he produces satisfactory evidence to the Board that he has completed the practical course prescribed for the subject in a college recognised by the Board up to the Intermediate Examination in Science in that subject.

Such a candidate, if successful, shall be awarded a certificate of having passed the examination in the subject or subjects concerned.

#### INTERMEDIATE IN AGRICULTURE EXAMINATION.

11. There shall be two examinations, one at the end of first year called Intermediate in Agriculture Examination, Part I, and the

other at the end of II year called the Intermediate in Agriculture Examination Part II.

The diploma for passing the Intermediate in Agriculture Examination shall be awarded after successfully completing the courses of study laid down for II year.

12. The subjects of examination for the Intermediate in Agriculture Examination, Part I, shall be the following:—

Botany.  
Zoology.  
Chemistry I.  
Physics.  
English.

13. Only such candidates as have successfully passed the Intermediate in Agriculture Examination, Part I, shall be eligible for appearing at the Intermediate in Agriculture Examination Part II.

14. A candidate who has passed the Intermediate in Science Examination of the Board of an examination equivalent thereto with Chemistry and Biology as optional subjects, shall be eligible for admission to the Intermediate in Agriculture Examination Part II after prosecuting a regular course of study for not less than one academic year, since the date of his passing the aforesaid examination, at an institution recognised by the Board for the Intermediate in Agriculture Examination.

15. The subjects of examination for the Intermediate in Agriculture Examination Part II, shall be:—Crops, Animal Husbandry, Agricultural Engineering, Soils and Climatology, Economics, Chemistry II, Mathematics and Social Studies.

N.B.—The subject of Social Studies shall be introduced in the first year, but examination in the subject will be held along with Part II.

16. A candidate shall not be declared to have passed the examination unless he secures at least 33 per cent marks in each written paper and practical Examination separately. A candidate who fails to obtain 33 per cent marks but obtains at least 20 per cent marks in the theory examination in one paper only shall be eligible to appear in the paper in which he has failed at a Supplementary Examination in August, provided he has secured at least 40 per cent marks in aggregate of the whole examination (theory and practical). Such a candidate shall be declared to have passed the examination if he obtains at least 33 per cent marks in the paper in which he has appeared. No division shall, however, be awarded to such candidates.

#### INTERMEDIATE IN COMMERCE EXAMINATION

17. The following are the subjects of examination. These may be arranged in alternative groups in such manner and with such

additions and alterations as the Board may from time to time lay down:—

### Compulsory Subjects.

1. Languages.
2. Book-keeping and Accountancy.
3. Business Methods.
4. Economics and Commercial Geography.
5. General Knowledge.

Optional Subjects (Any one of the following).

1. English Steno-typing (Shorthand and Typewriting)
2. Hindi Steno-typing (Shorthand and Typewriting)
3. Banking.
4. Elements of Industrial Organisation.
5. Mathematics
6. Advertising and Salesmanship.

18. Any candidate, who has passed the Intermediate in Commerce Examination of the Board or that of the University of Rajasthan may appear at any subsequent Intermediate in Commerce Examination conducted by the Board in any subject in which he has not previously passed the Intermediate in Commerce Examination. Such candidates, if successful, shall be awarded a certificate of having passed the examination in the subject or subjects concerned.

19. Candidates who have passed the High School Examination of the Board or an equivalent examination may present themselves for examination in either one or both the papers of Steno-typing (Shorthand and Typewriting test) of the Intermediate in Commerce Examination in any subsequent year as private candidates on payment of a fee Rs. 8/- for each paper. The minimum pass marks in each paper shall be 17 out of a maximum of 50. Such candidates, if successful, shall be awarded a certificate of having passed the Intermediate in Commerce Examination in Shorthand or Typewriting or both, only.

### Admission of In-Service Students to Board Examinations.

20. Persons in employment, residing in the territorial jurisdiction of the Board, will be eligible to appear at the Intermediate Arts and Intermediate Commerce examinations of the Board. Such persons shall be part-time students studying in colleges recognised by the Board for the purpose in the evening hours and shall in all respects be subject to the conditions laid down by the Board for full-time regular students, e.g., enrolment, eligibility, fees attendance etc. etc. (including courses of study and standard of passing) except in so far as herein provided.

21. A candidate desiring to appear at an examination as an in-service student, must get himself enrolled in the Board at least 18 months before appearing at the Board examination. He shall not be admitted to the college unless he produces satisfactory evidence of his being in service, and is permitted by his employer for the



purpose. He shall thereafter be required to submit six-monthly certificate to show that he is continuing in-service.

22. No candidate who is enrolled in a college, or at the Board, for an examination as a regular student shall be registered as an in-service student for that examination and vice-versa; provided that transfer of regular students to evening classes may be allowed in special cases at the discretion of the Principals of Colleges on a prior sanction obtained from the Board, if they have joined any service. Such students, as are allowed to be transferred from the regular side to the evening classes will, however, be termed as in-service students and their results of examination also declared as in-service students, though credit for the attendance put in by them as regular students will be given. Transfers from in-service side to regular side may also be allowed at the discretion of the Principals of Colleges, but such students will retain their status of in-service students.

23. Enrolment as an in-service student shall be open to such persons only as are gainfully employed within the Board area and shall be valid only for the examination for which it has been obtained. A candidate will not be required to re-enrol himself, if he fails at the examination, for re-appearing in the same.

24. The certificate awarded to in-service students shall be distinguished by the words "granted under the Board regulations laid down for in-service candidates".

25. An institution desiring to seek recognition for evening classes shall be required to make an application to that effect and shall be recognised only, if it satisfies such conditions as may be laid down by the Board with regard to buildings, staff, management, grants for equipment and library etc. etc. for such colleges. Colleges already recognised by the Board (for day hours) could also have evening classes but every such college seeking to introduce evening classes for in-service students, shall also have to apply and get itself recognised for the purpose before opening the classes.

26. There shall be a regular and qualified staff, possessing the same qualifications as are laid down by the Board for teachers in the recognised colleges, with a Principal for the evening classes, appointed on salaries prescribed by the Board and such evening classes shall be under the regular control and inspection of the Board. Recognised colleges for imparting instructions to in-service students, shall also have a distinct staff for evening classes. However, if in such colleges some of the staff is common, the teachers concerned should get an allowance of at least Rs. 75/- per mensem for teaching evening classes.

17. The Principals of the evening classes shall exercise the same responsibilities as are exercised by the Principals of the recognised colleges. They shall draw a suitable salary, or allowance, as the case may be.

## CHAPTER XXI.

## Provident Fund.

*Notes.*

The regulations in this Chapter have been framed in pursuance of clause (j) of sub-section (2) of section 36 of the Act.

## 1. In these Regulations—

(a) "Salary" means monthly salary, and includes all fixed monthly allowances by way of pay acting or personal allowances, but does not include any other allowance.

(b) "Servant" means every whole-time officer or servant of the Board, other than those whose services have been lent to the Board by Government or who is on leave from a Government post, appointed permanently to a substantive appointment or appointed for a fixed period of not less than three years, and carrying a salary of Rs. 25/- per mensem or more.

Note—Persons appointed on probation to permanent posts shall be eligible to subscribe to the Fund, but if their services terminate before their confirmation, they shall not be entitled to receive any portion of the Board's contribution or the interest accruing thereon.

(c) "Subscriber" means a servant on whose behalf a deposit is made under these rules.

(d) "Savings Bank" means the Post Office Savings Bank.

(e) "Interest", means the interest which is paid on a deposit in the Post Office Savings Bank

2. Every servant of the Board shall subscribe to the Provident Fund at the rate of 8 per cent of his salary. This amount shall be deducted by the Board from every salary bill presented. In the calculation of this deduction fractions of a rupee of a salary shall be omitted. Deductions from the salaries of depositors, when on leave on less than full pay, shall be optional. The amount so deducted, together with the contribution by the Board under Regulation 3 below shall be deposited in the Saving Bank to the credit of an account opened in the name of each subscriber. The payments in respect of the monthly deductions and contributions shall, so far as possible, be made into the Bank within two days of the receipt of the money.

Provided that the State Government may permit the Secretary of the Board to open Provident Fund Account with a Bank approved for the purpose, if the case of an employee of the Board is not covered by the Teachers, Provident Fund Rules.

Note.—Servants of the Board are given the option of raising their subscription to the Provident Fund to 12 or 15-5/8 per cent of their salary if desired either permanently or for a specified period.

3. The Board shall in the case of each subscriber make a monthly contribution at the rate of (i) 12 per cent of the salary

in the case of employees drawing a salary of Rs. 250/- p.m. or below (ii) 10 per cent of the salary in the case of employees drawing a salary of over Rs. 250/- p.m. up to and including Rs. 500/- and (iii) 8 per cent of the salary in the case of employees drawing a salary of over Rs. 500/- p.m.

4. Investment in Government Securities, or Postal Cash Certificates, or National Savings Certificates, of the amount to the credit of a subscriber shall be permissible, through the Post Office, on the conditions that:—

(i) In the case of Government Securities, no Security of the face value of less than Rs. 100/- shall be purchased at one time;

(ii) The Securities shall be kept in the custody of the Accountant-General, Posts and Telegraphs, and the receipts thereof in the custody of the Secretary; and

(iii) The Postal Cash Certificate and the National Savings Certificates shall be kept in the custody of the Secretary.

5. Subscribers to the Board's Provident Fund on whose behalf accounts are opened at the Post Office under the provision of these Regulation shall not be deprived of their right to open ordinary private accounts in the post Office Savings Bank or to purchase Postal Cash Certificates or National Cash Certificates or Government Securities, through the post Office.

6. A statement of the total amount at the credit of each subscriber shall be furnished to him once in the beginning of each year.

7. A subscriber at the termination or resignation of his services shall be entitled to receive the amount which accumulates to his credit.

8. On a subscriber's death, or his becoming insane, the amount at his credit shall be paid to the person or persons duly nominated by him, or when no nomination is made, to his legal heir or heirs.

9. The amount at the credit of a subscriber shall not be subject to any deduction even to cover loss or damage sustained by the Board through the subscriber's misconduct or negligence.

10. No final withdrawal shall be allowed until the termination of a servant's service or his death. But in case of necessity temporary withdrawal may be permitted at the discretion of the Chairman. The amount withdrawn shall not exceed the total sum deposited by the subscriber.

11. The amount withdrawn under Regulation 10 shall be refunded to the Fund by thirty equal monthly instalments. A subscriber may, however, at his option, make payment in less than thirty instalments or may repay two or more instalments at the

same time. Recoveries shall be made monthly, commencing from the first payment of a full month's salary after the withdrawal. The instalments shall be paid by deduction from salary or leave salary and shall be in addition to the usual subscription.

12. No servant shall be eligible for a fresh advance until the amount already advanced has been fully paid up.

13. Each depositor must file in the officer of the Board a declaration in the form appended to this Chapter, stating the names of the person or persons to whom he wishes the amount of his accumulation in the Fund to be paid in the event of his death or his becoming insane. The subscriber may, from time to time, add or change his nominee by a written application to the Board.

14. The Chairman may, under such conditions as may be prescribed, permit the payment of premia on Life Assurance Policy or Policies on the life of a subscriber out of his personal subscription to the Provident Fund Account, under Regulation 2 Above; provided that the Insurance Company is first approved by him and the policy is assigned to the same person (or persons) who is declared as beneficiary of the Provident Fund.

#### FORM OF DECLARATION

(For\*-----Subscriber).

I hereby declare that in the event of my death or of my becoming insane the amount at my credit in the Provident Fund shall be distributed among the persons mentioned below in the manner shown against their names.

The amount due to a nominee who is a minor at the time of my death or of my becoming insane shall be paid to the person, whose name appears in column 5.

1 Name and address of the nominee or nominees	2 Relationship with the subscriber.	3 Whether : major or minor; if minor, state his age.	4 Amount or share of deposit.	5 Name and address of the person to whom payment is to be made on behalf of the minor.	6 Sex and parentage of person mentioned in column 5.

\*Here state married or unmarried.

Dated, Jaipur.....19.

Signatures of two witnesses,  
Signature of Subscriber.

## CHAPTER XXII

## Travelling and Healing Allowances

1. Members of the Board and Committees shall be granted travelling and healing allowances for attending meetings of the Board at places at which they do not reside, at the following rates:—

*Notes.*

The regulation in this chapter have been framed for putting into effect the requirements of clause (e) of sub section (2) of section 36 of the Act.

(i) *For all journeys performed by rail*—Single 1st class fare each way, plus 6 naya paise per mile to cover incidental expenses, from his permanent headquarters or from any other place from which the journey is actually performed, whichever is less. During summer vacations, however, a member can be paid from any place other than his permanent headquarters if he has actually travelled from that place, subject to a maximum of 400 miles.

*Note.*—This maximum limit of 400 miles shall not apply when a member is required to come his home town during the summer vacation to attend the Board or a Committee meeting.

(ii) *For road journeys*—Daily allowance if the distance travelled is 20 miles or less; mileage allowance at 50 n.P. a mile in excess of 20 miles if the road journey exceeds 20 miles. mileage allowance shall not be admissible for journeys to places connected by rail. 40401

(iii) For all journeys performed by road in continuation or rail journey—

(a) 50 n.P. per mile or daily allowance whichever is less, if the road journey does not exceed 20 miles.

(b) If the road journey exceeds 20 miles, daily allowance for the first 20 miles plus mileage allowance at 50 n P. per mile for each mile in excess of 20 miles.

(iv) *Daily allowance.*—Rs. 7.50 n.P. for each day on which a meeting or meetings are attended.

(v) A conveyance allowance of Rs. 5/- for each day on which a meeting or meetings are attended, shall be granted to the local members of the Board and its Committees.

*Note.*—For purposes of the above Regulation, the allowance for railway and road journey shall be admissible by the shortest route. If the journey is performed at a fare greater than by the shortest route, the Chairman may pay the fare calculated according to the route actually taken; provided that he is satisfied after making such enquiry as he considers necessary, that there was a considerable saving in time by taking the longer route.

2. When a member under Regulation 1, has to attend two meetings of the Board with an interval of less than four days between the meetings attended, excluding the days of meetings, he shall be entitled to charge only daily allowance for the intervening days.

3. The Chairman will be granted travelling and halting allowance at the following rates:—

(a) *For rail journey.*—Double 1st class fare plus 6 n.P. per mile to cover incidental expenses. In case he travels by Air-conditioned coach, actual fare plus 6 n.P. per mile.

(b) *For road journey.*—50 n.P. per mile.

(c) *For air journey.*—Actual fare plus  $\frac{1}{4}$  of the standard air fare or the incidental charges to which he would have been entitled had he travelled by rail, whichever is less.

(d) *Halting allowance.*—Rs. 10/- per day while travelling or halting on duty.

4. Subject to Regulation 5, the travelling allowance to Inspectors for inspecting Schools and Colleges and to examiners shall be on the following scales:—

(i) For journeys performed by rail, single 1st class fare each way by the shortest route plus 6 n.P. per mile to cover incidental expenses.

*Note.*—When it is possible to travel between two places by alternative route, and the journey is performed at a fare greater than that by the shortest route, the Chairman may pay the fare calculated according to the route actually taken, provided that he is satisfied, after making such enquiry as he considers necessary, that there was a considerable saving in time by taking the longer route.

(ii) *For road journeys.*—As in the case of members of the Board, Committees, etc. under clause (ii) and (iii) of Regulation I.

(iii) *Daily allowance.*—Rs. 7.50 n.P. per day for the days on which an inspection or examination is conducted.

5. Servants of the Board shall be given travelling and halting allowances in accordance with the scale shown in the Schedule, attached to these Regulations.

6. In cases not covered by these Regulations, the Board shall decide what allowance shall be given.

7. "Day" in these Regulations means a calendar day beginning and ending at midnight.

8. No allowance shall be admissible for a day of journey unless the absence from headquarters of the person concerned on account of the journey on that day is for more than 8 hours.

9. Actual air fare, plus 3 n.P. per mile for incidental expenses, will be paid, in exceptional cases, to persons who actually travel by air, even though there are other means of communication, at the discretion of the Chairman.

SCHEDULE

S.No. Category of officer.	For Journey by Rail.	For road Journeys.	For road journeys in continuation of railway journeys. days of business only
1. A Persons drawing pay of above Rs.400/- per mensem.	Single first class fare each way & 6 n.P. per mile to cover incidental expenses.	Daily Allowance if the distance travelled is 20 miles or less. Mileage allowance at the following rates if the distance travelled is over 20 miles:— 1. A Category 50 nP. 2. B Category 37 nP. 3. C Category 19 nP. 4. D Category 12 nP.	Mileage allowance at the rates given in col. 4, if the road journey exceeds 20 miles, if it does not exceed 20 miles, mileage allowance or daily allowance whichever is less.
2. B. Persons drawing pay of over Rs.200/- p.m. upto Rs. 400/- p.m.	Single 2nd class fare plus 5 nP. per mile to cover incidental expenses.		50 nP. per day for every Rs. 25/- or fraction of Rs.25/-of pay subject to a maximum of Rs.7.50 per day
3. C. Persons drawing pay of Rs. 60/-or over up to Rs. 200/-per mensem.	Single 2nd class fare plus 3 nP. per mile to cover incidental expenses.		25nP. per day for every Rs.12.50nP. or fraction of Rs. 12.50 nP. of pay.
4. D.C'ass IV servants.	One and a half III class fare.	No allowance is permissible for any day on which a servant does not reach a distance exceeding 5 miles from headquarters or return thereto from a distance exceeding 5m.	Re. 1/- per day

- Note—1, Ordinarily daily allowance shall be allowed for a continuous halt of not more than 10 days at any one place, but the Chairman may in special cases grant daily allowance for the period in excess of 10 days at half the rate of daily allowance when there is a continuous halt of more than 10 days at any place.
2. The Steno-graphers and Orderlies to the Chairman or to any other officer while travelling with them shall receive daily allowance while travelling and halting subject to restriction given in Regulation 8.
3. Daily allowance for halt at expensive places as may be declared by the Board, shall be paid at double the rate of daily allowance admissible to an officer.

## CHAPTER XXIII

Conditions of Service, Leave etc. of the Servants of the Board.

1. The regulations in this chapter apply to all permanent whole time servants of the Board, excluding those whose services have been lent to the Board by Government or who are on leave from a Government post.

2. Leave is earned by duty only.

3. (1) A servant who resigns or is discharged from the employment of the Board cannot, if re-employed after an interval count his former service towards leave without the permission of the Authority re-appointing him.

(2) A servant who is dismissed or removed from the Board's service, but is re-instated, is entitled to count his former service towards leave unless the authority re-instating him declares that he shall not so count it in whole or in part.

4. Leave cannot be claimed as of right. When the exigencies of the Board's service so require discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

5. All orders recalling a servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If it is compulsory, the servant shall be entitled to travelling allowance.

6. A servant who remains absent after the expiry of his leave is not entitled to leave salary during the period of such absence. Wilful absence from duty after the expiry of leave involves forfeiture of appointment.

7. The Secretary of the Board shall have powers of appointment, leave, grant of increments, dismissal, suspension, fine and degradation of class IV servants of the Board Office. The Chairman of the Board shall exercise similar powers in the case of the ministerial staff of the Board Office.

The power of granting leave to Secretary and Assistant Secretaries shall also rest with the Chairman.

8. For every servant, a service book or service roll shall be maintained by the Board in the form in which they are maintained in Government offices, and the Secretary shall have them kept up-to-date. An up-to-date leave account shall also be maintained by him in a suitable form.

9. Leave may be of the following kinds which may be combined with each other, subject to limits laid down in these rules;—

(i) Leave on full pay.

(ii) Leave on half pay.

(iii) Leave on quarter pay (on medical certificate).

(iv) Leave without pay.

Note 1.—Casual leave is not treated as regular leave and is not debited to the leave account. Casual leave shall not be combined with regular leave of any kind.



2. "Pay" means substantive pay and does not include acting allowance.

10. The leave on full pay which a servant earns is one-twelfth of the period he remains on duty. He also earns leave on half pay equal to one-twelfth of the period spent on duty.

11. It will be at the discretion of the sanctioning authority to grant leave on half pay even if leave on full pay is due, if it is necessary to do so in the interests of the Board.

12. The maximum period of leave on full pay which a servant can take at any one time either separately or in combination with any other leave is four months.

13. The maximum period of leave with allowances (on full pay and half pay) which a servant can take at any one time is two years. This period may be extended by six months if the extension of leave is granted on quarter pay on medical certificate under Regulation 16

14. A servant on return from leave on full pay taken separately or in combination with any other leave must remain on duty for at least six months before he can be granted leave on full pay:

Provided that in case of urgent necessity or sickness, the sanctioning authority may, at his discretion, grant leave on full pay to a servant to the Board before the expiry of six months from the date he last returned from leave on full pay.

15. When a servant applies for leave on medical certificate and no leave on full or half pay is due to him, leave on quarter pay may be granted to him, subject to the condition that the total period of such leave granted to a servant during the whole period of service, shall not exceed two years.

*Note*—1. The medical certificate shall be from the Civil Surgeon in cases in which the salary exceeds Rs. 300/-. In cases where the salary does not exceed Rs. 300/- the medical certificate shall be from a qualified medical practitioner whose name is borne on the register of medical practitioners.

2. The possession of a medical certificate does not in itself confer upon the servant of the Board concerned any right to leave. The certificate should be submitted to the authority competent to grant the leave and the orders of that authority shall be awaited.

16. In case of necessity and when no other leave is due leave without pay may be granted, subject to the condition that no servant can be granted such leave for more than two years, during the whole period of his service. No servant is entitled to leave without pay.

17. Casual leave may be granted up to a limit of 15 days in a calendar year.

18. Casual leave may be taken in one or more instalments, as the applicant desires, but shall not ordinarily exceed ten days at a time.

19. Casual leave shall not be combined with any other kind of leave, but it may be taken either at the beginning or end of holidays, provided the total period of absence does not exceed 15 days.

*Note.*—If casual leave is taken either between two holidays or both at the beginning and end of holidays, the total period of absence shall be treated as leave.

20. Servants belonging to class IV establishment may be granted leave under the preceding Regulations provided no extra expense is involved. The leave salary of the absentee must not exceed what remains from his pay after provision has been made for efficient discharge of his duties. When, however, the period of leave does not exceed one month in a year and the Secretary is satisfied that the leave is urgently required, extra expenditure upto a limit of half the pay of the post may be incurred.

21. *Members of the Board's clerical staff may be paid acting allowance according to the following rules:—*

1. Acting allowance is an allowance given in addition to substantive pay, if any, to an officer who is appointed to officiate in an appointment of which either there is no holder or of which the holder is an absentee.

2. An Officer holding an appointment substantively who is appointed to officiate in another appointment, shall not draw an acting allowance, unless the officiating appointment involves the assumption of duties or responsibilities of greater importance or of a different character. This condition is not fulfilled if the two appointments are on the same scale of pay.

3. An Officer with the substantive appointment on a progressive scale of pay officiating in another appointment is entitled to (1) his substantive pay with the increments thereon as they fall due and (2) the acting allowance equal to one-fifth of the minimum pay of the new appointment, provided that his total emoluments do not exceed the amount of the pay of the incumbent he is appointed to officiate.

In cases when the pay of the officiating incumbent in respect of his own post is equal to or more than the pay of the person in higher grade whom he is asked to officiate, the officiating allowance shall be fixed by the Chairman, having regard to the nature of the work and the responsibility involved.

4. Subject to the sanction of the Chairman, the Secretary shall, according to the nature and importance of the work decide whether in cases of absence on leave of a member of clerical staff an extra hand is necessary to carry on the Board's work, and shall also determine the amount of the salary of the extra hand, if any, and the allowance to be allowed to one or more members of the permanent staff who may be required to carry on the Board's work during the period of absence on leave of the permanent incumbent.

Similar arrangements for carrying on work may be made in the case of a permanent vacancy occurring in the staff of the Board's office only for such time as the vacancy is not duly filled up.

22. The date of compulsory retirement of all permanent whole-time servants of the Board is the day on which they attain the age of 60 years. An officer may be retained in service after the date of compulsory retirement in special circumstances which must be recorded in writing and such an extension be given for not more than one year at a time subject to the maximum of three years provided that the officer concerned remains fit for duty.

## CHAPTER XXIV

### Miscellaneous.

1. Detailed information regarding the examinations of the Board shall be given in the Prospectus of the examinations which will be issued annually by the Secretary of the Board.

2. The Board shall, from time to time, lay down such rules for the admission of students in recognised institutions, for migration of students and for any other matter arising out of the functions of the Board, and prescribe such forms and registers with rules for their maintenance as may be deemed necessary.

The Board may also make Bye-laws in order to provide for all matters which are to be prescribed by Bye-laws and are not provided for in the Act, or in the Regulations.

3. The expression "A Regular Course of Study" means attendance at least 75 per cent of the lessons and other teaching in a recognised institution in the subject or subjects for the examination at which the candidate intends to appear, and at such other practical work (such as work in a laboratory) as is required by these Regulations or any other rules in force for the time being.

For this purpose the Head of an institution shall forward a statement in a prescribed form containing the names of candidates whose attendance is short so as to reach the Secretary 21 days before the date of the commencement of the examination.

4. For the purposes of a Regular Course of Study the following rules must be observed with regard to minimum number of meetings of a class that must be held in preparation for any of its examinations:—

(i) The minimum number of working days, exclusive of examination days, for which recognised institutions will be open during one academical year, shall not be less than 210 days.

(ii) No candidate will be presented for an examination of the Board by a recognised institution, unless he has been present for at least 75 per cent of the days for which the institution was open during two academic years in classes IX and X in the case of High School Examination for at least 75 per cent of the days for which the institution was open during three academic years in Classes IX, X, and XI in the case of the Higher Secondary Examination, and for

at least 75 per cent of the lectures delivered in each subject and at least 75 per cent of tutorial and practical work classes (taken together) held in each subject during two academic years, in Classes XI and XII in the case of Intermediate Examinations.

(iii) If on account of *bona fide* illness supported by a medical certificate or certified by the head of the institution, from his personal knowledge, or any other reason deemed sufficient by the Chairman, the total attendance of a student falls short of the required minimum attendance, the head of the recognised institution may condone a deficiency of not more than six days in the case of High School Examination, of not more than 9 days in the case of Higher Secondary Examination, and of not more than 3 per cent (a) lectures delivered, and (b) practical and tutorial (taken together) delivered in each subject in the case of Intermediate Examinations. All cases in which this privilege is exercised must be reported to the Chairman. If the shortage in any case exceeds the above the Chairman may in very special circumstances condone a deficiency upto a limit of 20 days in the case of High School Examination, of 30 days in the case of Higher Secondary Examination, and upto 6 per cent of the lectures delivered and practical and tutorial done in each subject in the case of the Intermediate Examinations. In addition to this, the Chairman may condone a further shortage upto 5 attendance at the most in the case of Intermediate Examinations in such special cases as may be recommended by the heads of institutions.

*Note.*—The N.C.C. cadets sent out to Parades and Camps and such students as are deputed to represent their institutions in games, athletic and cultural activities conducted by the Board or by the Government, be treated as present for the days of their absence for the above purpose, and their presence shall be added to their total attendance.

(iv) Excepting private candidates, no candidate shall be presented for the High School Examination unless he has attended 75% of the periods devoted to Physical Training, including attendance at games to the extent of 15 per cent. Wherever possible, Military Drill (close order Drill) shall form part of Physical Training. Exemption shall not be granted to any student from Physical Training except on medical grounds. The minimum number of periods devoted to Physical Training in such institutions during one academic year shall be hundred. The period for which a candidate has been declared unfit for Physical training, shall not be counted for the purpose of calculating his percentage of attendance. For purposes of condonation of shortage in attendance at Physical Training, such rules as apply for the regular teaching work, shall be applied to the Physical Training also.

(v) Students of Intermediate colleges who go out on excursions in connection with the practical work in Economics, History, Geography, Commerce, Chemistry, Physics or Biology should be marked present in colleges for the days they are put on such excursions.

(vi) In the case of failed and detained candidates from recognised institutions, and of those having passed the junior Cambridge (junior Local) or Senior Cambridge (Senior Local), or any other examinations as provided for in these Regulations, are admitted to class X of a recognised High School or class XI of a Higher Secondary School or class XII of a recognised Intermediate college under the Regulations, the percentage will be calculated for one academic year only. The course for the High School or the Intermediate Examination being a two years course in each subject and for the Higher Secondary of three years, a change of subject in class X, XI or XII, as the case may be, is not permissible.

(vii) In exceptional cases where a candidate has migrated from one institution to another institution, both being within the jurisdiction of the Board, and if an optional subject taken by him is not taught in the latter institution, the Head of the Institution may permit a change of subject or subjects with the permission of the Board. The attendance put in by a candidate in a subject which he subsequently changed with the permission of the Board should be counted along with the attendance in the new subject or subjects for the purpose of calculating his percentage of attendance in the new subject or subjects.

5 The accounts of the Board shall conform the Government financial year, viz, April 1st to March, 31st.

6. The Budget Estimates for the forthcoming year shall be prepared by the Secretary and submitted to the Board through the Finance Committee.

7. (a) The Annual Accounts and Balance Sheet of the Board shall every year, and at intervals of not more than fifteen months, be audited by auditors appointed by the State Government, and the Board shall meet the cost of each audit from its own fund.

(b) The Accounts and Balance Sheet when audited, together with the Auditor's Reports, shall be submitted to the State Government each year.

8. The Secretary of the Board shall, as a general rule, have full powers of expenditure within the budgetted allotment; provided that the sanction of the Chairman will be obtained in cases in which the expenditure in a single exceeds Rs. 500/-.

9. No re-appropriation from one major head to another major head exceeding Rs 1,000/- of allotments in the annual budget, shall be made except by the Board on the recommendation of the Finance Committee. The chairman shall sanction re-appropriation from one major head to another major head up to a limit of Rs. 1,000/- per year. He is also authorised to sanction re-appropriations from one minor head to another minor head.

## CHAPTER XXV.

### Modals, Scholarship and Prizes.

The regulations in this Chapter have been framed in pursuance of clause (M) of Sub-Section (2) of Section 36 of the Act.

1. The Board shall annually award (i) six gold medals to candidates standing first in the High School Examination, Higher Secondary Examination, Intermediate in Arts Examination, Intermediate in Science Examination, Intermediate in Commerce Examination, and Intermediate in Agriculture Examination and (ii) six silver medals to candidates standing second in the High School Examination, Higher Secondary Examination, Intermediate in Arts Examination, Intermediate in Science Examination, Intermediate in Commerce Examination and Intermediate in Agriculture Examination,

Provided that if two or more candidates obtain the same position securing equal number of marks in the aggregate each one of them shall be given a medal.

2. Medals to candidates standing first at the examinations of the Board shall be awarded on the condition that the candidates receiving them pass the examinations in the first division.

3. The Board shall award annually the following scholarships tenable for 24 months, except in the case of Higher Secondary Examination as a result of which they will be awarded for 36 months, in the following manner:—

(i) Two scholarships of the monthly value of Rs. 25/- each to the candidates who stand first and second at the Intermediate in Arts Examination.

(ii) Two scholarships of the monthly value of Rs. 25/- each to the candidates who stand first and second at the Intermediate in Science Examination.

(iii) Two scholarships of the monthly value of Rs. 25/- each to the candidates who stand first and second at the Intermediate in Commerce Examination.

(iv) One scholarship of Rs. 25/- p.m. to a candidate who stands first at the Intermediate in Agriculture Examination, as a result of Part II Examination.

(v) One scholarship of Rs. 25/- p.m. to a woman candidate who stands first at the Intermediate Examinations, among the women students

(vi) Two scholarships of the monthly value of Rs. 20/- each to the candidates who stand first and second at the Higher Secondary Examination, tenable for 36 months.

(vii) Two scholarships of the monthly value of Rs. 16/- each to the candidates who stand first and second at the High School Examination.

(viii) Two scholarships of the monthly value of Rs. 12/- each to the candidates who stand third and fourth at the High School Examination.

(ix) One scholarship of the monthly value of Rs. 16/- to a woman candidate who stands first at the High School Examination, among the women candidates.

*Note:*—(1) Only one scholarship will be awarded to a candidate. In case a candidate gets two, he is to select one, and the remaining scholarship will be awarded to the next best candidate.

(2) For the award of a scholarship, first class is necessary.

4. Recipients of scholarship shall be awarded the above scholarships provided they pursue higher studies in recognised institutions within the area of the Board; failing which, scholarships shall be awarded to the next best students who fulfil the conditions.

5. The payment of a scholarship shall be stopped if a candidate discontinues his studies during the middle of a course, from such date as he leaves the institution.

6. Scholarships shall be payable only if reports of studies, conduct and attendance, from the heads of institutions in which the scholarship holders continue their studies, are satisfactory. In the event of unsatisfactory report, the scholarship shall be stopped.

7. Endowments relating to scholarships, Medals and other rewards of a recurring character will be accepted by the Board, only when offered in cash or secured by investments in Securities described in section 20 of the Indian Trusts Act, 1882.

## CHAPTER XXVI,

### Meetings of the Board and its Committees.

#### *Notes.*

The regulations in this Chapter have been made as required under Clause (a) of Sub-Section (2) of Section 36 of the Act.

1. At all meetings of the Board or any Committee thereof, at least one-third of the total number of members of the Board or a Committee, shall form a quorum.

2. If a quorum is not present within thirty minutes after the time fixed for the meeting, there shall be no meeting.

3. If in the course of a meeting any member calls attention to the absence of a quorum, the Chairman shall dissolve the meeting.

4. If a member continually disregards or questions any order or ruling of the Chairman made at a meeting of the Board, the Chairman may suspend that member for that day.

5. No motion which has been negatived by the Board shall be again brought forward, except with the permission of the Chairman, within one year from the date upon which it was negatived.

6. Meetings of the Board and of its Committees shall, unless for special reasons the Chairman otherwise directs, be held at Jaipur.

7. Notice of meetings shall be despatched to all members of the Board not less than a fortnight before the meeting, together with the agenda papers for the meeting.

8. No business other than that contained in the agenda papers shall be transacted at a meeting except with the consent of the Chairman.

9. Notice of a motion or resolution to be moved at a meeting of the Board must be in the hands of the Secretary not less than seven days before the meeting.

10. All questions as to whether proper notice of a motion has been given, shall be decided by the Chairman, whose decision shall be final.

11. (a) No motion or resolution of which due notice has not been given may be moved at a meeting of the Board, except—

- (i) to adjourn a debate,
- (ii) to adjourn the meeting,
- (iii) to dissolve the meeting,
- (iv) to change the order of the business,
- (v) to refer any matter to any Authority or Officer of the Board or of the Education Department,
- (vi) to pass to the next item of business,
- (vii) to appoint a committee,
- (viii) to resolve the meeting into a Committee,
- (ix) to propose that the question be now put,
- (x) to move an amendment to a motion of which notice has been given.

(b) A motion under (i), (ii), (vi), or (ix) above shall be put to the vote without discussion.

(c) Motions under (ix) shall only be moved with the consent of the Chairman:

12. Every motion must be seconded, otherwise it shall drop. The seconder of a motion may reserve his speech with the permission of the Chairman.

13. When a motion that is in order has been seconded, it shall be stated from the Chair, before it is discussed.

14. If no member rises to speak to the motion after it has been stated from the Chair, the Chairman shall proceed to put the question to the vote.

15. Not more than one motion and one amendment thereto shall be placed before the meeting at the same time.

16. A motion once disposed of shall not be again brought forward at the same meeting or at any adjourned sitting thereof.

17. No amendment shall be proposed which would in effect constitute a direct negative to the original motion.

18. Every amendment must be relevant to the motion upon which it is moved.

19. No amendment shall be proposed which substantively raises a question already disposed of by the meeting, or which is inconsistent with any resolution already passed by it.

20. The order in which amendments that are in order or to be taken up, shall be determined by the Chairman.



21. An amendment must be seconded in the same way as a motion, otherwise it shall drop. The Seconder of an amendment may reserve his speech with the permission of the Chairman.

22. When an amendment that is an order has been moved and seconded it shall be stated from the Chair.

23. The mover of a motion for dissolution has no right of reply.

24. No member shall be allowed to speak more than once in the course of the discussion on a motion. When the Chairman has ascertained that no other member entitled to address the meeting desires to speak, mover of the original resolution may reply upon the whole debate.

25. No member shall speak on the question after the mover has entered on his reply.

26. When the debate is concluded the Chairman shall, after summing up, if he so desires, put the question to the vote thus:—

(i) If there is amendment, the Chairman shall state the motion and the amendment and take the vote of the meeting.

(ii) If the amendment is negatived, the original motion shall again be stated from the Chair and subject to the foregoing Regulations any other amendment which is in order may then be proposed thereto.

(iii) If an amendment is carried, the motion as amended shall be stated from the Chair, and may then be debated as a substantive question to which any further amendments, to the original motion which are in order, so far as they shall be applicable, may be proposed, subject to the foregoing Regulations. Such further amendment shall be disposed of in the same manner as the original amendment. When all the amendments have been thus dealt with, the Chairman shall take the vote of the meeting on the motion as amended as the substantive resolution.

27. A motion for dissolution or adjournment, may be moved at any time as a distinct question, but not as an amendment, nor so as to interrupt a speech.

28. If a motion for dissolution is carried, the business before the meeting shall drop.

29. If a motion for adjournment is carried, the meeting shall be adjourned and the business shall be resumed at the adjourned meeting.

30. A motion for the adjournment of a debate to some specified date and hour may be moved in the like manner, and, if it be carried, shall have the effect of postponing the debate on the question under consideration to the date and hour specified. If the motion be negatived, the debate shall be resumed.

31. A meeting or debate renewed or continued after an adjournment is to be deemed one with that preceding the adjournment.

32. A motion to pass to the next item of business may be made at any time in like manner and subject to the same rules as one for adjournment. If such motion be carried, the motion under consideration and the amendments thereon, if any, shall drop.

33. At any time after a motion or amendment has been made, a member may request the Chairman to put the question, and if it appears to the Chairman that the motion has been sufficiently discussed, he may close the discussion, by calling upon the mover for his reply, and may then put the question, to the vote.

34. No member shall speak for more than fifteen minutes when proposing a motion or amendment or for more than ten minutes when seconding or speaking to a motion or amendment or when replying.

35. Proposals relating to vote of thanks, messages of congratulations, or condolence, addresses and other matters of a like nature, may be moved from the Chair without previous notice.

36. The Chairman may, at any stage in the proceedings, at his own discretion or at the request of a member, explain the scope and effect of the motion or amendment which is before the meeting. He may also at the conclusion of a debate sum up the debate, if he so desires.

37. If the Chairman desires to take an active part in a debate, he shall vacate the Chair until the vote on that debate shall have been taken. During such time the Chair shall be taken by a member present appointed by the Chairman. The acting Chairman shall during the debate in question, exercise the rights of the Chairman.

38. Any member may with the permission of the Chairman, rise even while another is speaking, to explain any expression used by himself which may have been misunderstood by the speaker, but he shall confine himself strictly to such explanation.

39. Any member may call the Chairman's attention to a point of order while another member is addressing the meeting but no speech shall be made on such point of order.

40. The Chairman shall be the sole judge on a point of order and may call any member to order, and may, if necessary, dissolve the meeting or adjourn it to some hour on the same or the following day.

41. A motion or amendment may be withdrawn, by permission of the Chairman, by any member who has given notice of such motion or amendment.

42. Any motion or amendment standing in the name of a member who is absent from the meeting may, with the permission of the Chairman, be brought forward by any other member.

43. On putting any question to the vote, the Chairman shall call for an indication of the opinion of the Board by a show of hands in the affirmative and negative and shall declare the result thereof according to his opinion.

44. A motion for the appointment of a Committee on a subject under debate may be made by any member at any time and without previous notice.

45. A motion for the appointment of a Committee must define the purpose for which the Committee is to serve and the number of members to compose it. Amendments for enlarging or restricting the number may be made without previous notice. If the motion is carried, the member moving shall name the persons whom he wishes to form the Committee. Other names may also be proposed. A ballot shall then be taken, if necessary, and the requisite number appointed from those who obtain the largest number of votes. The Chairman shall nominate one of the members elected as Convener of the Committee.

46. The proceedings of a Committee appointed by the Board shall be presented to the Board at its next meeting subject to due notice.

47. The Convener of a Committee shall furnish to the Secretary a copy of the report of every meeting of the Committee together with a list of the members present.

48. The quorum of a Committee shall not be less than one-third of the total number of members consisting it.

49. No quorum shall be necessary at an adjourned meeting of a Committee.

50. In all cases of election other than those specifically provided for, the candidate shall be proposed and seconded. If no more candidates are nominated than there are vacancies to be filled, the Chairman shall declare those candidates to be elected. If the number of candidates exceeds the number of vacancies, the voters shall state on the ballot paper the names of the candidates they desire to vote for up to the limit of the number of vacancies. The Chairman shall then appoint tellers to count the votes and declare the result of the voting forthwith.

51. The Chairman may at his discretion direct that the business of a Committee shall be transacted wholly or partly by correspondence.

52. At all meetings of the Board or its Committees every question shall be decided by a majority of the votes of the members present. In the case of the votes being equally divided, the Chairman or the Convener, as the case may be, shall have a second or a casting vote.

53. Only decisions, not speeches, shall be printed in the records.

54. As soon as practicable after a meeting of the Board, a draft of the minutes of such meeting shall be submitted by the Secretary to the Chairman and attested by him. The minutes shall, then

be circulated to all members, and such of them as were present shall within a fortnight of the issue of the minutes, communicate to the Secretary any exceptions they may take to the correctness thereof. The minutes and the exceptions taken, if any, shall be laid before the next meeting of the Board, and the minutes, in their final form shall then be confirmed.

55. In any case not provided for by these Regulations, the Chairman shall be entitled to give his own ruling as to procedure.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
*Secretary to the Government.*

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*Notifications under*

**RAJASTHAN SECONDARY EDUCATION ACT, 1957.**

*Published in Raj. Raj-patra Dated September 12, 1957 part I (b) at page 340*

**EDUCATION DEPARTMENT  
NOTIFICATION**

Jaipur, August 27, 1957.

No. D. 3314/F. 1 (97) Edu./C/57.—In exercise of the power conferred by section 5 of the Rajasthan Secondary Education Ordinance 1957 (Rajasthan Ordinance 5 of 1957) the Government of Rajasthan is hereby pleased to notify that the headquarters of the Board of Secondary Education for Rajasthan established under section 3 of the said Ordinance shall be at Jaipur for the time being.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated October 10, 1957 part I (b) at page 532:*

**Education (c) Department  
NOTIFICATION**

Jaipur, September 26, 1957.

No. D. 3752/F 10 (1) Edu./ (C)/ 57.—In pursuance of the promulgation of the Rajasthan Secondary Education Ordinance, 1957 a separate Board of Secondary Education for Rajasthan is being established which will conduct High School/Higher Secondary including Multipurpose and Intermediate Examinations of 1957-58 upto now conducted by the University of Rajasthan. All the Institutions in Rajasthan (including those of the former Ajmer State, Abu Taluka and Sunnel Tappa) of this standard will henceforth correspond with the Secretary, Board of Secondary Education for Rajasthan, Chandra Alok, Gandhinagar (Extension) Jaipur and get themselves disaffiliated with the University or Board concerned and seek affiliation with the Board of Secondary Education, for Rajasthan.

By Order  
S. P. SINGH BHANDARI  
Secretary to the Government.

*Published in Raj. Raj-patra Dated January 2, 1958 part I (b) at page 962-963.*

**Education (c) Department  
NOTIFICATIONS**

Jaipur, December 19, 1957.

No. D. 418 F. 1 (90) Edu/C/57.—In exercise of the powers conferred by section 3 and 5 of the Rajasthan Secondary Education Act, 1957 (Act No. 42 of 1957) the State Government does hereby establish a Board of Secondary Education for Rajasthan which shall be called the Board of Secondary Education, Rajasthan and the headquarters of the said Board shall be at Jaipur.

Jaipur, December 19, 1957.

No. D. 3418/F. 1 (90) Edu./C/57.—In exercise of the powers conferred by the proviso to section 16 of the Rajasthan Secondary Education Act, 1957 (Rajasthan Act, No. 42 of 1957), the State Government does hereby nominate Shri G. C. Chatterjee, Vice-Chancellor of the University of Rajasthan, Jaipur to be the Chairman of the Board of Secondary Education, Rajasthan, for a period of one year from 1st August, 1957.

Jaipur, December 19, 1957.

No. D. 3418/F. 1(90)Edu./C/57.—The following persons have been elected under clauses (e) and (f) of sub-section (1) of section 4 of the Rajasthan Secondary Education Act, 1957 (Act No. 42 of 1957), the State Government hereby nominates the following persons to be the members of the Board of Secondary Education, Rajasthan, namely:—

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|---|--|
| 1. Dr. M. L. Sharma M. A., D. Litt.,<br>(Dean of Faculty of Arts,) University<br>Professor of History, Jaipur.      | Elected by the Senate<br>of the University of<br>Rajasthan under clause (e). |
| 2. Dr. S. M. Mitra D. Sc., (Dean, Faculty<br>of Science) Principal, Birla College of<br>Science & Commerce, Pilani. | -do-   |
| 3. Shri S. S. Saxena M. A., M. Com; Prin-<br>cipal, Maharana College, Udaipur.                                      | -do-   |
| 4. Shri B. D. Bhargava, M. A., B. Com.<br>Principal, Commerce College, Jaipur.                                      | Elected by the Senate<br>of the University of<br>Rajasthan under clause (f). |
| 5. Mrs. S. Bhartiya, M. A; Principal Mahu-<br>rani's College, Jaipur.   | -do-   |

Jaipur, December 19, 1957.

No. D. 3418/F.1(90) Edu./C/57.—In exercise of the powers conferred by clauses (h) to (k), (m) and (n) of sub-section (1) of section 4 of the Rajasthan Secondary Education Act, 1957 [Act No. 42 of 1957], the State Government hereby nominates the following persons to be the members of the Board of Secondary Education, Rajasthan, namely:—

1. Shri V. Laxminarayana, Principal, Birla Engineering College, Pilani.
2. Dr. R. M. Kasliwal, Principal, S. M. S. Medical College, Jaipur.
3. Dr. A. Rathore, Principal, Government Agriculture College Udaipur.
4. Lt. Col. A.C. Agarwal, Principal, Government Veterinary College, Bikaner.
5. Shri Shambhu Lal Sharma, Dy. Director of Education, Rajasthan, Jodhpur.

6. Miss. P.B, Menon, Principal Rajasthan Mahila Vidhyalaya Udaipur.
7. Mrs. C. K Dandia, Head Mistress, New Higher Secondary School for Girls (Haldion Ka Rasta) Jaipur.
8. Mr. J.P.M Gibson, Principal Mayo College, Ajmer.
9. Shri Bal Chandra Vaidya, Principal, Subodh Intermediate College, Jaipur.
10. Shri Taj Behari Lal, Head Master, Multipurpose Higher Secondary School, Jodhpur.
11. Shri Chandra Shekhar Bhatta, Head Master, Multi-purpose Higher Secondary School, Kota.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government,

*Notification under*

**RAJASTHAN SECONDARY EDUCATION ACT, 1957**

**Education (Cell I) Department**

**Jaipur, May 21, 1965**

**Notification No. F. 3 (2) Edu./B/58.**—In exercise of the powers conferred by clause (k) of section 2 of the Rajasthan Secondary Education Act, 1957 (Rajasthan Act 42 of 1957), the State Government hereby directs that the following special courses of study with reference to which the Board of Secondary Education for Rajasthan, Ajmer, has conducted examinations from 1st day of March, 1962, shall be included and shall be deemed to have been so included in Secondary Education as defined therein, namely:—

- (i) Praveshika; and
- (ii) Upadhyaya, examinations in Sanskrit.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 17-6-65 Page 240 (17)]



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*Rules and Notifications under*

RAJASTHAN SECONDARY EDUCATION (AMENDMENT)  
ACT, 1964.

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*Notification under*

**RAJASTHAN SECONDARY EDUCATION (AMENDMENT)  
ACT, 1964**

**Education Cell—I Department**

**Jaipur, May 21, 1965**

**Notification No. F. 3 (2) Edu./B/58.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Secondary Education (Amendment) Act, 1964 (Rajasthan Act 25 of 1964), the State Government hereby directs that all the provisions of the said Act, except those of clause (b) of section 2 and of clause (a) of section 4 thereof shall come into force on 1st day of July, 1965.

**[Pub. in Raj. Gaz. 4 (Ga)-Dt. 3-6-65 Page-141 (29)]**

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*Rules and Notifications under*

SHOP & COMMERCIAL ESTABLISHMENTS ACT, 1958.

( RAJ. ACT, No. 31 OF 1958 ).

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# The Rajasthan Shops and Commercial Establishment Rules, 1959.

*Jaipur, May 15, 1959.*

*The Rajasthan Shops & Commercial Establishment Rules, 1959.*

No. F. 3(18)/Lab/58 —In exercise of the powers conferred by section 15(3), 18 and 40 of the Rajasthan Shops and Commercial Establishments Act, 1958 ( No 31 of 1958 ) the State Government hereby makes the following rules, the same having been previously published as required by sub-section (4) of section 40 of the Act under this Government Notification No. F. 3(18)/Lab/58, dated the 8th December, 1958 in the Rajasthan Gazette Part III-B dated the 15th January, 1959, namely :—

## *Rules*

### *Preliminary.*

1. *Short title, extent & commencement.*—(i) These Rules may be called the Rajasthan Shops and Commercial Establishment Rules, 1959.

(ii) They shall extend to the whole of Rajasthan.

(iii) They shall come into force on the 1st day of June, 1959,

### *Notes*

The Rajasthan Shops and Commercial Establishments Act, 1958 has been enacted with a view to consolidate and amend the law relating to the regulation of conditions of work and employment in shops and commercial establishments in Rajasthan. The present rules have been framed in exercise of the powers conferred under the following sections of the Act :—

(3) The State Government may make rules prescribing :—

(a) the manner in which the case equivalent of the advantage accruing through the concessional sale to an employee of foodgrains and other articles shall be computed, and

(b) the registers that shall be maintained in an establishment for the purpose of securing compliance with the provisions of this section.

18. *Power to make rules.*—The State Government may make rules directing employers to keep registers containing such particulars as may be prescribed and requiring the registers to be made available for examination by Inspectors.

40. *Power to make rules.*—(1) The State Government may, by notification in the Official Gazette make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power rules made under sub-section (1) may provide in respect of the health, safety and welfare of employees.

(3) In making rules under this section, the State Government may provide that a contravention of the rules shall be punishable with fine, which may extend to fifty rupees.

(4) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication.

2. *Definitions.*—(i) In these rules, unless there is anything repugnant in the subject or context :—

(a) The “Act” means the Rajasthan Shops and Commercial Establishments Act, 1958.

(b) “Form” means a form appended to these rules.

(c) “Section” means a section of the Act.

(ii) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. *Application for registration and grant of Registration Certificate.*—The employer of every establishment shall submit to the Inspector concerned a statement as required by section 4 in Form No. 1 for the registration of the establishment and grant of registration certificate and the fees in respect of the same shall be as follows :—

(1) For establishment having either no employee or having employees less than 10.

Rs. 2/-

(2) For establishment having employees [10 or more]

Rs. 5/-

#### Notes.

Words and figures, “10 or more” appearing in brackets have been substituted for the original words and figures “more than 10” vide amending Notification No. F. 3 (18) Lab./58 dated 8/9/59, published in Rajasthan Raj-patra part IV (c), dated 10/9/59.

4. *Manner of registering Establishment and form of registration certificate.*—(1) On receipt of the statement and fees, the Inspector shall, on being satisfied about the correctness of the statement register the establishment in appropriate part of the Register of establishment in Form No. 2 and shall issue a registration certificate in Form No. 3 to the employer of the Establishment,

(2) Every certificate granted or renewed under this Chapter shall remain in force for one year from the date of issue.

5. *Notice of change.*—A certificate holder shall notify any change in respect of any information contained in his statement, in Form No. 4.

Provided that the fee for the amendment of the Certificate or issue of a fresh registration certificate in consequence of such change shall be the difference in amount, if any between the fee already paid and the fee that would have been payable if the certificate had originally been issued in the amended or revised form.

6. *Renewal of Certificate.*—(1) A certificate may be renewed by the Inspector.

(2) Every application for the renewal of certificate shall be in Form 5 and shall be made by the certificate holder within one month from the date on which the certificate expires and if the application is so made the premises shall be deemed to be duly certified until the Inspector renews the certificate.

(3) The same fee shall be charged for the renewal of a certificate as for the grant thereof :

Provided that if the application for renewal of a certificate is not received within one month after the expiry of the date of the expiry of the certificate, the certificate shall be renewed only on payment of an additional fee of Re. 1/- over and above the fee ordinarily chargeable for grant or renewal of a certificate.

7. *Transfer of certificate*—1) The holder of a certificate may, at any time, before the expiry of the certificate, apply for permission to transfer his certificate to another person.

(2) Such application shall be made to the Inspector, who shall, if he approves of the transfer, enter upon the certificate under his signature, an endorsement to the effect that the certificate has been transferred to the person named.

(3) A fee of one rupee shall be charged on each such application.

8. *Procedure on death or disability of certificate holder*.—If the holder of the certificate dies or becomes insolvent, the person carrying on the business of such certificate holder shall not be liable to any penalty under the Act for exercising the powers granted to the certificate holder by the certificate during a period of 90 days to enable him to make an application for the amendment of the certificate under Rule 6 in his own name for the unexpired portion of the original certificate.

9. *Loss of Certificate*.—Where a certificate granted under these rules is lost or accidentally destroyed, a duplicate copy may be granted on payment of a fee of rupee one.

10. *Payment of fees*.—(1) The fees payable under these rules on account of registrations, renewals, transfer certificates and loss of certificates, shall be paid in the office of the Inspector, Shops and Commercial Establishments of the area and will be credited under the head "XXXVI-Misc. Departments B Mis. (ii) Receipts of other Departments— (13) receipts under Shops and Commercial Establishments Act.

(2) If an application for the grant renewal or amendment of a certificate is rejected by an Inspector, an appeal shall lie to the Labour Commissioner, Rajasthan or to such authority as may be appointed by the Labour Commissioner in this behalf.

11. *Enquiry by Government before passing orders fixing opening and closing hours of shops*.—(1) The Government shall

make enquiry under sub-section (2) of section 11 in the manner prescribed in this rule.

(2) Before passing an order under sub-section (1) of section 11, the Government shall give notice of its intention to pass such an order. The notice shall be in Form No. 6 and shall, unless a copy of the order proposed to be passed is annexed to it, specify the area and the shop or shops or class or classes of shops to which the order shall apply, the hours of opening or the hours of closing, or both, which are proposed to be fixed. The notice shall also state that objections and suggestions with respect to such orders, if any, may be sent to the officer mentioned in the notice within one month from the date of such notice.

(3) The copies of the notice shall be affixed at such public places in the area to which the order is proposed to be applied as the Government may deem fit. Copies of the notice shall be sent to the Local Authority in whose jurisdiction such area is situated and to such associations, trade unions or other organisations as Government may deem fit. The notice shall also be published in not less than one newspaper having circulation in such area.

(4) The Government shall consider all objections and suggestions received under sub-rule (2) before passing the order under sub-section (1) of the section 11.

#### Notes.

The rule has been framed in pursuance of section 11 of the Act which reads as under ;—

11. *Opening and closing hours.*—(1) No establishment shall, on any day, be opened earlier than and closed later than such hour as may be fixed by a general or special order of the State Government made under sub-section (2).

(2) The State Government may, after making an inquiry in the prescribed manner, by general or special order fix the time at which any establishments shall be opened or closed in any local area.

12. *Notice of weekly holidays.*—The notices required under sub-section (1) of section 12 shall be in form No. 7.

#### Notes.

Sub-section (1) of section 12 of the Act requires an employer to display a notice of weekly-holiday in his shop or commercial establishment. This rule prescribes the form of such notice.

13. *Leave Wages Register.*—(1) The employer shall keep a Register in Form No. 8 hereinafter called the Leave with Wages Register.

(2) The Leave with Wages Register shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

14. *Leave Book.*—(1) The employer shall display on the notice board in the first month every year the leave earned by an individual

employee, for his information. The employer shall further make available for inspection, the leave register to an employee, if he so desires and makes an application to this effect, within 72 hours of the making of such an application.

(2) If a worker loses his leave Book, the employers shall provide him with another copy on the payment of one anna and shall complete it from his record.

15. *Medical Certificate.*—If any worker is absent from work and it appears that his absence is due to illness, he shall, if so required by his employer by a notice in writing, submit a medical certificate signed by a registered Medical Practitioner or by a registered or recognized Vaid or Hakim stating the cause of the absence and the period for which the worker is in the opinion of such Medical Practitioner, Vaid or Hakim unable to attend his work.

16. *Amount of maternity benefit.*—(1) The benefit payable under section 17 shall be paid at the rate of  $7/12$  of the average daily wage or twelve annas a day, whichever is higher.

(2) If a woman dies during the period of maternity, the maternity benefit shall be payable only for the days up to and including the day of her death.

17. *Procedure regarding payment of maternity benefit.*—(1) Any woman employed in an establishment and entitled to maternity benefit under the provisions of the Act and these rules who is pregnant may, on any day, give notice in writing in Form 9 or orally to her employer stating that she expects to be confined within six weeks next following and her maternity benefit may be paid to her, and that she will not work in any employment during the period for which she receives maternity benefit.

(2) The employer shall thereupon permit such woman to absent herself from the establishment from the next following day until six weeks after the day of her delivery.

(3) Maternity benefit shall be paid by the employer to the woman entitled thereto after taking her wishes into consideration in any one of the following three ways, namely:—

(i) for six weeks within forty-eight hours of the production of a certificate signed by a registered Medical Practitioner certifying that the woman is expected to be confined within six weeks next following and for the remainder of the total period for which she is entitled to maternity benefit under section 26 within forty-eight hours of the production of a certificate extract from a birth register stating that the woman has given birth to a child, or

(ii) for the entire period for which the woman is entitled to maternity benefit under section 26 within forty-eight hours of the production within six weeks of her delivery of certified



extract from birth register stating that she has given birth to a child.

Provided that no woman shall be entitled to any maternity benefit or any part thereof the payment of which is dependent upon the production of a certified extract from a birth register under this rule unless such extract has been produced within six months of the day of her delivery.

18. *Payment of maternity benefit in case of woman's death.*—

If a woman entitled to maternity benefit under the Act dies during the period for which she is entitled to maternity benefit, the employer shall pay the amount of maternity benefit due if the newly born child survive her, to the person who undertakes the care of the child, and if the child does not survive, to her legal representative.

19. *Forfeiture of maternity benefit.*—If a woman works in any establishment after she has been permitted by her employer to absent herself under the provision of section 26 she shall forfeit her claim to the payment of the maternity benefit to which she is entitled.

20. *Muster Roll.*—The Employer of every establishment in which women are employed shall prepare and maintain a muster roll and shall enter the following particulars in such muster roll, namely:—

- (a) Name of Woman.
- (b) Department and name of the Establishment in which employed.
- (c) Dates with month and year on which employed and not employed.
- (d) Total days employed in the payment period.
- (e) Date on which the woman gives notice under section 24 of the Act.
- (f) Date of birth of child.
- (g) Date of production of a certificate signed by a registered Medical Practitioner certifying that the woman is expected to be confined within six weeks.
- (h) Date of production of certified extract from birth register.
- (i) Date of first payment of maternity benefit and amount of the same.
- (j) Date of sub-sequent payments of maternity benefit and amounts of the same.
- (k) If the woman dies, amount of maternity benefit paid and date of payment and the names of persons to whom paid.
- (l) Remarks column for the use of Inspector only.

All entries in the muster roll shall be maintained up-to-date and shall always be available for inspection by the Inspector.

The employer may enter in the muster roll such other particulars as may be required by the Inspector for any other purpose.

#### Notes.

Rules 16 to 20 have been framed for the purpose of putting into effect the requirements of section 26 of the Act which reads as under:—

26. *Maternity benefit*.—Everywoman employed in an establishment who has been continuously employed in that establishment or in establishments belonging to the owner of that establishment for a period of not less than six months preceding the date of her delivery shall be entitled to receive and the employer shall be liable to make to her, a payment of maternity benefit which shall be prescribed by the State Government for every day during the six weeks immediately preceding and including the day of her delivery and for each day of the six weeks following her delivery:

Provided that no such payment shall be made for any day on which she attends work and receives payment therefor during the six weeks preceding her delivery.

(2) The manner in which the maternity benefit shall be payable, may be prescribed by the State Government.

21. *Manner of examination of premises etc.*—(1) An Inspector making an examination under section 30, shall make such examination of premises and of the registers, records and notices as may appear to him necessary for satisfying himself that the provisions of the Act, and these rules and of any orders or notifications issued thereunder are being properly observed and shall before conducting such examination require the employer or any of his representatives present at the premises to accompany him at the time of inspection, provided that in case the employer or his representative does not co-operate or accompany the Inspector at the time of inspection on being called upon to do so, it shall be lawful for the Inspector to conduct such examination of the premises and records himself without the presence of the employer or his representative.

(2) For carrying out such examinations, the Inspector concerned may interrogate such persons on the premises of the Shop or Commercial Establishment as he may consider necessary:

Provided that no such person shall be required under this rule to give an answer to any question, the answer to which might tend to incriminate him.

(3) An Inspector concerned may require an employer to produce at his own expense a certificate of age in Form No. 10 from a registered medical practitioner in respect of any employee whose age he may have reasons to doubt.

#### Notes.

Section 30 of the Act authorises an Inspector appointed under the Act to make such examination of the premises and of any prescribed registers, records and notices, and take on spot or otherwise evidence of any person as he may deem necessary, for carrying out the provisions of the Act. This authority is,

however, subject to the rules made by the State Government in this behalf. Rule 10 prescribes the manner in which such authority shall be exercised.

22. *Maintenance of registers and records and display of notices.*—(1) Every employer shall maintain a register of employment in Form No. 11 provided that where the opening and closing hours are ordinarily uniform, the employer may maintain such register in Form No. 12.

(2) Notwithstanding anything contained in sub-rule (1) an employer may, instead of maintaining a register as provided in the said sub-rule, exhibit in his establishment a notice specifying the daily hours to be worked by and intervals for rest and meals to be allowed to the persons employed. The notice shall be in Form No. 13 and shall be exhibited not later than the closing hour on the Saturday immediately preceding the first week in which the hours of work shall be as specified in such notice. It shall continue to be exhibited so long as the hours of work specified in it are observed.

(3) Where an employer has exhibited the notice referred to in sub-rule (2) he shall keep a record of work in Form No. 14.

(4) Every employer shall exhibit in his establishment a notice in Form No. 15 specifying the day or days of the week on which the persons employed by him shall be given holiday. The notice shall be exhibited before the persons to whom it relates cease work on the Saturday immediately preceding the first week during which it is to have effect.

(5) Every employer shall exhibit in his Establishment a notice containing such extracts of the Act and these rules in English and/or in Hindi as the Government may direct.

(6) Any notice required to be exhibited under these rules shall be exhibited in such a manner that it can be readily seen and read by any person to whom it affects and shall be renewed whenever it becomes defaced or otherwise cease to be clearly legible.

(7) In any register or record which an employer is required to maintain under these rules the entries relating to any day shall be made on the same day.

(8) The registers, records and notice relating to any calendar year shall be preserved till the end of the next calendar year.

(9) If on an application made by an employer in writing the Local Authority or Government, as the case may be, is satisfied that any muster roll, register or record maintained by such employer gives in respect of all or any of the persons employed in his Establishment the particulars required to be shown in any register, record or notice or prescribed under this rule, the Local Authority or Government as the case may be, may by an order in writing direct that such muster roll, register or record shall to the corresponding extent be maintained in place of such register, record or notice, as the case may be.

(9) (a) Save as otherwise prescribed in sub-rule (5), all registers, records muster rolls and notices required to be maintained, exhibited or given under the rule shall be either in English or in Hindi or in the script in which the account books of the Shops or the Commercial Establishments are maintained.

(10) Every employer shall maintain a visit book in which an Inspector visiting the Establishment may record his remarks regarding any defects that may come to light at the time of his inspection and shall produce it whenever required to do so by an Inspector.

#### Notes.

Section 36 of the Act provides that, "Subject to the general or special orders of the State Government, an employer shall maintain such registers and records and display on the premises of his establishment such notices as may be prescribed. All such registers and records shall be kept on the premises of the establishment to which they relate.

This rule has been framed with a view to meet the requirements of section 36 of the Act.

23. *Cleanliness*.—(1) (a) In every establishment, all the inside walls of the rooms and all the ceiling and tops of such rooms (whether such walls ceiling and tops to be plastered or not) and all the passages and stair cases shall be lime washed or colour washed at least once in two years dating from the time when they were last lime washed or colour washed, and shall be maintained in a clear state.

(b) All beams, rafters, doors, window frames and other wood work with the exception of floors, shall be, painted at least once in four years dating from the time when last painted and shall be kept in a clear state. This shall not apply to—

(i) rooms used only for the storage of articles;

(ii) walls or tops of rooms which are made of galvanised iron-sheets, tiles, asbestos sheets or similar materials or glazed bricks;

(iii) ceiling of rooms in which the lowest part is at least 20 feet from the floor;

(iv) any other establishment or parts thereof in which lime washing, colour washing or painting is, in the opinion of the Inspector, unnecessary.

(2) No rubbish, filth, debris shall be allowed to accumulate or to remain on any premises in any Establishment in such position that effluvia therefrom can arise within the Establishment. All filth and other decomposing matter shall be kept in covered receptacles.

(3) The area around the place where drinking water is distributed to the employees shall be kept clean and properly drained.

24. *Precautions against fire.*—No person shall smoke or use a naked light or cause or permit any such light to be used in the immediate vicinity of any inflammable material in any establishment.

25. Any person contravening any of the provisions of these Rules shall on conviction, be punishable with fine which may extend to Rs. 50/-.

### FORM '1'

(See rule 3)

Statement under section 4.

#### 'PART I'

1. Name of the establishment.
2. Postal address of the establishment
3. Full name of the occupier or the employer.
4. Full name of the Manager, if any.
5. Category of the establishment, i. e. whether a shop, commercial establishment, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.
6. Nature of business.

#### 'PART II'

7. Names of members of employer's family, working in the establishment; state separately the names of young persons, if any.
8. Names of other persons occupying position of management or employees engaged in confidential capacity.
9. Total number of employees (state separately the number of men, women and/or young persons if any) Men, Women and Young persons.
10. Rates of wages including Dearness Allowance paid to different categories of employees. (Information in this respect may be submitted separately and marked confidential, if so desired).

---

S.No.	Name of Occupation.	No. of employees. in the occupation.	Rates of wages.	
			Minimum	Maximum.

---

Dated.....

Signature of the employer,

*Note* :—This statement shall be sent to the Inspector with such fees, as are prescribed.

---

Received from.....Form "I" with Challan No.....

Signature.

FORM '2'  
( See Rule 4 )  
Register of Establishment

PART I—Shops.  
PART II—Commercial Establishments.  
PART III—Residential Hotels.  
PART IV—Restaurants and Eating Houses.  
PART V—Theatres and other places of public amusement or entertainment.

S. No.	Registration Certificate.	Name of the Mana- ger, if any.	Name of Occupier/ Employer.	Postal address of the establishment.	Name of the establi shment, if any.	Nature of business	Number of members of employer's family			No. of other pers- ons occupying po- sition of manage- ment or employe- es engaged in confidential capa- city.	Total No. of employees			Date of ins- pec- tion
							Male	Female	Young persons.		Male	Female	Young Persons.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

## FORM '3'

(See rule 4)

Rajasthan Shops and commercial Establishments Act, 1958.

Registration Certificate of establishment.

Name of the establishment.

Name of the Occupier/employer.

Postal address of the establishment.

Registration No.

It is hereby certified that the establishment as mentioned herein has been Registered as a \* ..... under the Rajasthan Shops and Commercial Establishments Act, 1958, this .... day of ....

Seal

Inspector,

Shops and Commercial Establishment.

\*(Here insert the category of the establishment).

Renewals.

Date of Renewal	From	To	Signature of the Inspector of Shops & Commercial Establishments with seal.
1	2	3	4
1			
2			
3			
4			

## FORM '4'

(See rule 5)

Notice of Change

1. Name of the establishment.
2. Name of Occupier/employer.
3. Full Address.
4. Registration Certificate No. . . . .

To

The Inspector,

.....Dated.....19 .

Notice is hereby given that the following change has taken place in respect of information relating to Form 'T' which please note.

Signature of the Employer.

Notice:—Notice of change in this form shall be sent together with such fees as are prescribed in Rule 5.

**'FORM 5' (See rule 6)****Application for Renewal of Registration Certificate**

Category of Establishment.

Name of Establishment.

Total Number of existing employees.

Postal Address

The Inspector of Shops and Commercial Establishments (name of place).

As the period of the Registration Certificate No.....  
originally granted/subsequently renewed is due to expire on.....  
.....or has already expired on.....

I have to request for its renewal.

ated

(Signature of the Employer).

*Note :—*The application shall be sent along with such renewal fee as is prescribed in Rule 3.

**FORM '6'***(See rule 11)*

Notice is hereby given that the Government of Rajasthan proposes to pass an order under sub-section (1) of section II of the Rajasthan Shops and Commercial Establishments Act, 1958 that with effect from.....no Shops/Commercial Establishment situated in.....shall be opened on any day earlier than.....and/or shall be closed on any day later than.....

Any person wishing to make any objection or suggestion with respect to the above order shall send the same in writing to the Labour Commissioner before the .. . . day of .. . . 19 .. . .

Dated this .. . . day of .. . . 19 .. . .

Secretary to the Government.

**FORM '7'***(See rule 12)*

Notice of close day or a change in close day.

To

The Inspector,  
Shops and Commercial Establishments,  
(Name of Place).

Name of the Establishment .

Address . . . . .

Registration Certificate No. . . . .

Notice is hereby given that with effect from . . . . .  
the establishment shall observe . . . . . as the close day.

Date

Signature of employer.

\*This Form shall be used in the case of notice for change in close day.





FORM '9'

[Rule 17 (1)]

NOTICE UNDER SECTION 24 OF THE RAJASTHAN SHOPS  
AND COMMERCIAL ESTABLISHMENT ACT, 1958.

Name of the employer.....

I.....W/o.....

D/o

a woman in the employment of .....

(here insert the name of the Establishment)

hereby give notice that (i) I expect to be confined within six weeks  
from today;

(2) I will absent myself from the establishment with effect  
from.....;

(3) I shall not work in any employment during the period, for  
which I will receive maternity benefit.

Signature.....

Jod.....

Date.....

FORM '10'

[See Rule 21 (3)]

FORM OF CERTIFICATE

I hereby certify that I have personally examined (name).....

..... son/daughter of.....

caste etc.....residing at.....

.....and that he/she has completed his/her

twelfth/seventeenth year. His/her description marks are.....

Medical Practitioner.

Dated.....

## FORM '11'

## (Rule. 22) Sub-rule (1)

## Register or Employment.

Month..... Year.....

## Days of Month

	1	2	3
--	---	---	---

Name of persons  
employed

Whether young  
Person or not.

Time at which em-  
ployment commences.

Time at which em-  
ployment ceases.

Rest In-  
terval.

\*Days on which  
overtime work is  
done and extent of  
such overtime on  
each day.

Total hours worked  
during the month

Extent of overtime  
worked during the  
month.

Extent of overtime  
worked during the  
quarter.

Extent of overtime  
worked during the  
year.

1 2 3 4 5 6 7 8 9 10 11 12

Note:—The mark 'H' shall be made in the column relating to any day or which a holiday is given in accordance with the notice referred to in Rule 13.

\*This Column need not be filled by Commercial Establishments. In case of shops, Residential Hotels, Restaurants and Eating Houses Theatres and other places of public amusement or entertainment, the extent of such overtime on each day shall be recorded in the days column against the employed person distinctively in red ink, indicating the time up to which, such overtime work was taken from the employee.



## FORM '13'

[See Rule 22 Sub-rule (2)]

## Notice

Daily periods of work of persons employed commencing.....19

Name of Employer

of establishment.

Description of Department  
(if applicable)

## DAY

Name of persons employed.

whether young

Person, or not.

Employment  
to  
commence.Intervals  
for meals and  
rest.Employment  
to  
cease.

1

2

3

4

5

(Signed)

(Employer)

- Note:— 1. This notice must be exhibited not later than the closing hour on the Saturday preceding the first week in which it is to take effect, and must continue to be exhibited while it is in force, in such a manner that it may be readily seen and read by any person whom it affects.
2. The hours to be specified in this notice shall be the hours to be worked exclusive of overtime.
3. The entries under the heading 'Intervals is for meals rest' shall be the actual times at which the intervals are to begin and end (e. g. I. p. m. to 2 p. m.)

FORM '14'

[ See Rule 22 Sub-rule (3) ]

Record of Hours of Work of Persons Employed.

Description of Department.

( if applicable )

Month.....

Year.....

Name of the persons	Whether young person or not	Total hours worked during the month.	* Days on which overtime work is done and extent of such overtime on each occasion.	Extent of overtime worked during the month.	Extent of overtime worked previously during the month
---------------------	-----------------------------	--------------------------------------	---	---	---

\* This column need not be filled by Commercial Establishments' in case of Shops, Residential Hotels, Restaurants and Eating Houses and Theatres and other places of public amusement or entertainment, the extent of such overtime on each day shall be recorded in the days column against the employed person distinctively in red ink, indicating the time up to which, such overtime work was taken from the employee.

Note:—Entries relating to any day must be made on that day.

FORM '15'

[ Rule 22 (4) ]

## NOTICE OF WEEKLY HOLIDAYS

1. Name of the establishment
2. Full address.
3. Registration certificate No.

Until further notice, the person employed in this establishment and mentioned below shall have holidays every week on the day shown against each;

Name of Persons employed	Designation/Department	Day of the week
-----------------------------	------------------------	-----------------

\*If the same day is fixed for all the persons employed, the word 'ALL' only need be inserted in this column.

Signature,

Inspector under the Rajasthan Shops  
& Commercial Establishments

Act.....

Date.....

Signature

of the Proprietor/Partner/  
Manager.

Date.....

By Order of the Governor,  
A. K. ROY,

Secretary to the Government.

## RAJASTHAN SHOPS AND COMMERCIAL ESTABLISHMENT RULES, 1959

*No.F. 3 (148) Lab./50.*—In exercise of the powers conferred by sub-section (1) of section 40 of the Rajasthan Shops and Commercial Establishment Act, 1958 (Rajasthan Act 31 of 1958), the State Government hereby makes the following further amendments to the Rajasthan Shops and Commercial Establishment Rules, 1959 the same having previously been published in the Rajasthan Gazette, Part 3 (B), dated the 1st March, 1962, as required by sub-section (4) of section 40 of the said Act, namely:—

### AMENDMENTS

In the said rules,—

1. For sub-rule (2) of rule 4 the following shall be substituted, namely:—

“(2) Every certificate granted or renewed under this Chapter shall remain in force up to 31st day of December of the year for which the certificate is granted and shall be renewable for a period extending up to five years.”

2. For sub-rule (3) of rule 6 the following shall be substituted, namely:—

“(3) The fee for the renewal of the certificate shall be same as for the grant thereof for each year of renewal provided that a certificate expiring in the year, 1961 shall be renewed up to December 1962 or subsequent years and for the broken periods proportionate fees only shall be charged for quarter or half year if the same is less than three or six months as the case may be provided further that fee or portion of fee already received shall be adjustable against future renewals.”

(Published in Rajasthan Gazette—Part IV (Ga)—dated 5-12-63—  
Page 517)



*Notifications under*

**The Rajasthan Shops and Commercial Establishment  
Rules, 1959.**

*Published in Raj. Raj-patra part IV (c) dated October 22, 1959 at page 822*

Office of the Labour Commissioner,

Rajasthan, Jaipur.

**NOTIFICATIONS**

*Jaipur, July 24, 1959.*

No. F. 3(5) IR (2) RS/CE/58/17/36.—In exercise of the powers conferred under Rule 10 (2) of the Rajasthan Shops and Commercial Establishments Rules, 1959, I, M. N. Pancholy, Labour Commissioner, Rajasthan, hereby appoint the following Officers to whom appeal shall lie, on the applications for the grant, renewal or amendment of a certificate rejected by the Inspectors appointed under the provisions of the Rajasthan Shops and Commercial Establishments Act, 1958, within the local limits mentioned against each:-

- |   |   |
|---|---|
| 1. Regional Assistant labour Commissioner<br>Jaipur.  | For Ajmer & Kotah<br>Divisions.             |
| 2. Regional Assistant Labour Commissioner<br>Jodhpur. | For Jodhpur, Bikaner & Udaipur<br>Divisions |
| 3. Labour Officer, Jaipur.                            | Ajmer Division Ex-<br>cluding Ajmer Distt.  |
| 4. Labour Officer, Ajmer.                             | Ajmer District.                             |
| 5. Labour Officer, Jodhpur.                           | Jodhpur Division.                           |
| 6. Labour Officer, Kotah.                             | Kotah Division.                             |
| 7. Labour Officer, Bhilwara.                          | Udaipur Division.                           |
| 8. Labour Officer, Bikaner.                           | Bikaner Division.                           |

**M. N. PANCHOLY**

Labour Commissioner, Rajasthan, Jaipur.

*Notifications under*

**The Rajasthan Shops and Commercial Establishment Act, 1958.**

*Published in Raj. Raj-patra part IV (c) dated May 16, 1959 at page 129-130*

Industries (C) Department

**NOTIFICATIONS**

*Jaipur, May 15, 1959.*

**No. F. 3 (5) Lab/59/3550**—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Shops and Commercial Establishments Act 1958 (Act No. 31 of 1958) the State Government hereby appoints the 1st day of June, 1959 as the date on which the said Act shall come into force.

*Jaipur, May, 15, 1959.*

**No. F. 3 (5)/Lab/59/3556.**—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government hereby specifies the following areas to which the said Act shall apply, in the first instance, namely :—

S. No.	Name of Town or City	Name of District	S. No.	Name of Town or City	Name of District
1.	Jaipur	Jaipur	2.	Jodhpur	Jodhpur
3.	Bikaner	Bikaner	4.	Udaipur	Udaipur
5.	Kota	Kota	6.	Alwar	Alwar
7.	Sikar	Sikar	8.	Tonk	Tonk
9.	Churu	Churu	10.	Bharatpur	Bharatpur
11.	Ganganagar	Ganganagar	12.	Bhilwara	Bhilwara
13.	Ratangarh	Churu	14.	Fatehpur	Sikar
15.	Nawalgarh	Jhunjhunu	16.	Sardarsahar	Churu
17.	Sujargarh	Churu	18.	Kishangarh	Ajmer
19.	Pali	Pali	20.	Bundi	Bundi
21.	Ladnu	Nagaur	22.	Barmer	Barmer
23.	Dholpur	Bharatpur	24.	Jhunjhunu	Jhunjhunu
25.	Baran	Kota	26.	Nagaur	Nagaur
27.	Karauli	Sawai Madhopur	28.	Lachaman garh	Sikar
29.	Banswara	Banswara	30.	Phalodi	Jodhpur

31. Rajgarh	Churu	32. Hindaun	Sawai Madhopur
33. Partapgarh	Chittorgorh	34. Sojat	Pali
35. Sambhar	Jaipur	36. Gangapur	Sawai Madhopur
37. Makrana	Nagaur	38. Kuchaman	Nagaur
39. Deeg	Bharatpur	40. Ramgarh	Sikar
41. Chomu	Jaipur	42. Nathdwara	Udaipur
43. Brijnagar	Jhalawar	44. Bari	Bharatpur
45. Didwana	Nagaur	46. Dungargarh	Churu
47. Sirohi	Sirohi	48. Chittorgarh	Chittorgarh
49. Chirawa	Jhunjhunu	50. Shahpura	Bhilwara
51. Sawai Madhopur	Sawai Madhopur	52. Pipar	Jodhpur
53. Pilani	Jhunjhunu	54. Sadri	Pali
55. Dausa	Jaipur	56. Nohar	Ganganagar
57. Nimbahera	Chittorgarh	58. Bilara	Jodhpur
59. Kotputli	Jaipur	60. Taranagar	Churu
61. Dungarpur	Dungarpur		

*Jaipur, May 15, 1959.*

No. F. 3(5)/Lab./59/3553.—In exercise of the powers conferred by sub-section (1) of section 29 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958) the State Government hereby appoints the following persons to be Inspectors for the areas mentioned against each, namely :—

1. Asstt. Labour Commissioner For whole of Rajasthan.  
(Labour Law), Rajasthan,  
Jaipur.
2. Regional Asstt. Labour Co- For Ajmer & Kota Divisions  
mmissioner, Jaipur.
3. Regional Asstt. Labour Co- For Jodhpur, Bikaner and  
mmissioner, Jodhpur. Udaipur Divisions.
4. Labour Officer, Jaipur. For Ajmer Division excluding  
Ajmer District.
5. Labour Officer, Ajmer. For Ajmer District.
6. Labour Officer, Bhilwara. For Udaipur Division
7. Labour Officer, Kota. For Kota Division.
8. Labour Officer, Bikaner. For Bikaner Division.
9. Labour Officer, Jodhpur. For Jodhpur Division.

- |  |   |
|--|---|
| 10. Shops & Commercial Establishment Inspector, Ajmer. | For Ajmer Town including Paltan Bazar.    |
| 11. Shops & Commercial Establishment Inspector, Kekri. | For Nasirabad Cantt. Kekri & Deoli Towns. |
| 12. Labour Inspector, Beawar.                          | Beawar Town.                              |
| 13. Welfare Inspector, Bijainagar                      | Bijainagar (Municipal area)               |

*Published in Raj. Raj-patra IV (c) dated May 26, 1959 at page 159-160*

Industries (C) Department

### NOTIFICATIONS

*Jaipur, May 19, 1959*

*No. F. 3(50)/Ind.(C)/59. 3367.*—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the Government of Rajasthan is pleased to exempt all the Shops and Commercial Establishment situated in Ajmer District from the provisions of section 11 of the said Act on the following occasions for the period specified below, namely :—

S. No.	Name of fairs	Place of occurrence	Period of Exemption
1.	Pushkar fair	Pushkar	Kartik sud 11 to Magsar sud 3rd (8 days)
2.	Khwaja fair	Ajmer	1st of Rajab to 8th of Rajab. (8 days)

Eorm (6) (See Rule 11)

*Jaipur, May 19, 1959.*

*No.F. 3 (50)/Ind.(C)/59./3368.*—Notice is hereby given that the Government of Rajasthan proposes to pass an order under sub-section (1) of section 11 of the Rajasthan Shops and Commercial Establishments Act, 1958 that with effect from the 1st August, 1959 or from any subsequent date which the Government may appoint, no Shops/Commercial Establishments situated in the State of Rajasthan, to whom the provisions of the above said Act apply, shall be opened on any day earlier than 8 A. M. and shall be kept open on any day later than 8 P. M.

Any person wishing to make any objection or suggestion with respect to the above order, shall send the same in writing to the Labour Commissioner, Rajasthan before the expiry of one month from the date of its publication in the Rajasthan Rajpatra.

*Jaipur, May, 19, 1959.*

*No. F. 3(50)/Ind. (C) 59/3669.*—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and

4 ] Noti. under The Raj. Shops and Commercial Establishment Act, 1958

Commercial Establishments Act, 1958, (Act No. 31 of 1958), the Government of Rajasthan is pleased to exempt all the Shops and Commercial Establishment in the State from the provisions of section 11 of the Act on the following occasions of festivals/fairs for the period specified against each, namely :—

S. No.	Name of festival/fair	Dates on which they fall	period. of exemption.
1.	Dewali	Kartik Badi 12 to Kartik Sud 1	5 days
2.	X'mas	24th & 25th Decr.	2 days
*3.	Moharrum	Moharrum 9th & 10th of Ramzan	2 "
*4.	Ramzan-Id (Idulfittal)	Shawal 1st	1 "
*5.	Baqra-Id (Idul Zuha)	Zilhija 10th	1 "
6.	Dashera	Asoj Sud 10 & 11	2 "
7.	Holi and Dhulendi	Phagun Sud 30th to Chait Budi 1st	2 "
8.	Rakshabandhan	Shravan Sud 30th	1 "
9.	Makar Sakranti	14th January	1 "
10.	Republic day	26th January	1 "
11.	Sheel Saptami	Chait Badi 7th	1 "
12.	Janam Ashtmi	Bhadon Badi 7th & 8th	2 "
13.	Shiv Ratri	Phalgun Budi 14th	1 "
14.	Teej Festival	Savan Sudi 3rd	1 "

\* Subject to change on the appearance of Moon.

By Order of the Governor,

A. K. ROY

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated May 30, 1959 at page 169-170*

Industries (C) Department

NOTIFICATION

Jaipur, May 30, 1959.

No. F. 3(5)/Lab/3556.—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government hereby amends Industries (C) Department Notification of even number dated the 15th May, 1959, as follows :—

# AMENDMENT

In the said notification, after Serial No. 61, the following entries shall be inserted:—

S. No.	Name of town or City	Name of district
64.	Ajmer	Ajmer
65	Nasirabad	Ajmer
64.	Kekri	Ajmer
65	Beawar	Ajmer
66	Deoli	Tonk

*Jaipur, May 30, 1959.*

No. F. 3(5) Lab/59.—In exercise of the powers conferred by sub-section (1) of section 29 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government hereby appoints the following persons to be Inspectors for the purposes of the said Act for the areas mentioned against each, namely :—

- |                              |                   |
|------------------------------|-------------------|
| 1. Labour Inspector, Jaipur  | For Jaipur city   |
| 2. Labour Inspector, Jodhpur | For Jodhpur city  |
| 2 Labour Inspector, Bhilwara | For Bhilwara city |
| 4. Labour Inspector, Kota    | For Kota city     |
| 5. Labour Inspector, Bikaner | For Bikaner city  |

By Order of the Governor

A. K. ROY

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated August 20, 1959 at page 474*

Industries (C) Department

# NOTIFICATION

*Jaipur, July 15, 1959.*

No. F. 3 (59) /Ind. (C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the Government of Rajasthan is pleased to exempt all the Shops and Commercial Establishments in the State from the provisions of section 12 of the Act on the following occasions of festivals/fairs for the period specified against each, namely :—

S. No.	Name of festival/fair	Dates on which they fall	Period of exemption
1. Dewali		Kartik Budi 12 to Kartik Sudi 1	5 days

6 ] Noti. under The Raj. Shops & Commercial Establishment Act, 1958

2. X-mas	24th & 25th Dec.	2 days
3. Moharrum	Moharrum 9th & 10th of Ramzan	2 days <sup>1</sup>
4. Ramzan-Id (Idul Fittar)	Shawal 1st	1 day
5. Baqra-Id (Idul Zuhā)	Zilhija 10th	1 day
6. Dashera	Asoj Sud 10th & 11th	2 days
7. Holi & Dhulendi	Phagun Sud 30th to Chait Budi 1st	2 days
8. Rakshbandhan	Sharavan Sud 30th	1 day
9. Makar Sankranti	14th January	1 day
10. Republic Day	26th January	1 day
11. Sheel Saptami	Chait Budi 7th	1 day
12. Janam Ashtami	Bhadon Badi 7th & 8th	2 days
13. Shiv Ratri	Phalgun Badi 14th	1 day
14. Teej Festival	Savan Sudi 3rd	1 day

\*Subject to change on the appearance of Moon.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated August 4, 1959 at page 311*

Industries (C) Department

NOTIFICATION

*Jaipur, August 3, 1959.*

No. F. 3 (50)/Ind. (C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958) the State Government is pleased to exempt the following class of shops and Commercial Establishment from the provisions of the Act, for the period and subject to the conditions, specified in the following table namely:—

S. No.	Class of Shops & Commercial Establishments	Provi- sions of the Act from which exempted.	Period for which exem- pted.	Conditions of exemption.	Remarks
1	2	3	4	5	6
1.	1. Persons employed on any kind of works in Fac- tories governed by the Factories Act, 1948.	All pro- visions.	Through out the year.		

2.	2. Establishments whose activities are mainly educational and hostels attached to such establishments.	All provisions.	Through out the year.
3.	1. Shops & Commercial Estt. dealing mainly in meat, fish, poultry, eggs, milk and milk products, sweets, Ice-cream, cooked foods, fruits, flowers, vegetables, betel leave, chat bhandars.	Sec. 11 (1) & 12	-do-
4.	2. Shops dealing mainly in medicines or Medical & Surgical requisities or appliances, Chemists and Druggists.	-do-	-do-
5.	3. Shops dealing in articles require for funeral, burial or cremations. Newspaper offices,	-do-	-do-
6.	4. News agencies & Shops dealing in newspapers or periodicals.	-do-	-do-
7.	5. Automobile Service Stations (not being repair work shops) & petrol departments & petrol bunks for the retail sale of petrol.	-do-	-do-
	6. Tanneries on handicraft basis,	-do-	-do-
9.	7. Retail Trade carried on at an exhibition or show,	Sec. 11 (1) & 12	Through out the year.



	if such retail trade is subsidiary or ancillary only the main purpose of the exhibition of show.		
10.	8. Brick and lime Kling.	-do-	-do-
11.	9. Stalls and refreshments rooms at Railway Stations or Air Ports.	-do-	-do-
12.	10. Establishments of the Auditors or chartered accountants, Income-tax practitioners and other legal practitioners.	-do-	-do-
13.	11. Shops engaged in the supply of gas light, crockery, shamianas, furniture, band and orchestras etc. on marriage or other ceremonial occasions.	-do-	-do-
14.	12. Establishments of Doctors and Medical Practitioners.	-do-	-do-
15.	13. Establishments of Motor Transport.	-do-	-do-
16.	14. Excise Shops.	-do-	-do-
17.	15. Establishment of Skin and Wool Merchants (Raw only).	-do-	-do-
18.	16. Establishments of Fodder merchants.	Sec. 11 (1) & 12	Through out the year.
19.	17. Private educational institutions other than institutions teaching	-do-	-do-

shorthand and  
type-writing.

- |     |     |  |      |      |
|-----|-----|--|------|------|
| 20. | 18. | Shops situated inside Theatres & Cinemas.  | -do- | -do- |
| 21. | 19. | Clubs & residential hotels.  | -do- | -do- |
| 22. | 20. | Cinema, Theatres and other places of public amusements and other entertainments. | -do- | -do- |
| 23. | 21. | All Rikshaw Garages dealing exclusively in the hire and repair of rikshaws.      | -do- | -do- |
- The above exemptions shall apply only to Rikshaws, Garages, dealing exclusively in the hire and repair of rickshaws and not to the shops and Commercial establishments engaged mainly in the hire and repairs of cycles or in the sale of spare parts and accessories thereof.
- (ii) No repair works shall be carried out on a closed day.
- (iii) The employees required to work on a closed day shall be given leave in lieu thereof on some other day in the same week.
- |     |    |   |         |                       |
|-----|----|---|---------|-----------------------|
| 24. | 1. | Manufacturing establishment engaged in the manufacture of ice and areated water from the 1st April, to 31st Oct.. | Sec. 12 | Through out the year. |
| 25. | 2. | Stalls situated within Bus-Stands under the control   | -do-    | -do-                  |

of local authorities  
or under the Con-  
trol of Traffic Sec-  
tion of Police  
Department.

26.	4.	Establishments of Independent handloom weavers in the State.	-do-	-do-	
27.	1	All Flour Grinding Chakkies	Sec 11 (1)	-do-	
28.	2.	Institutions teaching in shorthand and typewriting.	-do-	-do-	
29.	3.	Establishments engaged in teaching Music and fine arts.	-do-	-do-	
30.	5.	All Power Stations of electric Supply.	-do-	-do-	
31.	4.	Establishments of Countary Oil Ghanies.	-do-	-do-	
32.	6.	Hats(Weekly fairs)	-do-	-do-	
33.	7.	Grain markets where whole sale purchases of grain are made in the mandies from vil- lage cultivators.	-do-	-do-	Such exemption is granted to the extent of 2 hours only in the morning carrying business at 6 a.m instead of 8 p.m. so that the trade may not suffer adversely.
34.	8.	All Banks for the day on which they close their half-yearly and annual accounts.	Sec. 11 (1)	Through out the year.	Subject to the condition that overtime wages shall be paid to any person employed beyond the normal working hours.
35.	9.	Shops of barbers & hair dressers.	-do-	-do-	
36.	10.	Shops dealing in dying work (Ran- grej Shops only).	-do-	-do-	

- |     |  |                       |                        |
|-----|--|-----------------------|------------------------|
| 37. | 1. Sales man working in petrol pumps on night duty.  | Sec 9 and 10          | -do-                   |
| 38. | 2. Employees exclusively employees in any establishment for the collection, delivery or conveyance of goods outside the premises of the establishments or on other outdoor duty including buyers (Khari-ddars) bill, collectors, travelling agents, cooks, sweepers and meanial servants, Tourists and hotel guides. | -do-                  | -do-                   |
| 39. | 1. Travellers, Canvessors and such other employees, who are declared by the State Government by Notification published in State Gazette to the employees whose work is inherently intermittent.  | From Sec. 7, 9, 10&12 | -do-                   |
| 40. | 2. Employees working in any establishment as watchmen, care-takers and massengers.   | -do-                  | Throught out the year. |
| 41. | 3. Persons occupying positions of management or an employee engaged in a confidential capacity.  | -do-                  | -do-                   |
| 42. | 4. Members of an employer's family.  | -do-                  | -do-                   |

- |     |  |        |      |   |
|-----|--|--------|------|---|
| 43. | 1. Canteen attached to factories.                | Sec. 9 | -do- | As regards the hours of work, this will correspond with the hours of work in the factory.   |
| 44. | 2. Employees in establishments other than shops. |        | -do- | -do- Subject to the condition that no such employee shall be required or allowed to work for more than 5 hours in any day unless he has had an interval for rest of half an hour if he is employed in clerical department of a factory or establishment and of one hour if he employed otherwise. |

By Order of the Governor,  
A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated September 19, 1959 at page 880*

Industries (C) Department  
(Labour Section)

NOTIFICATIONS

*Jaipur, September 12, 1959.*

No. D. 8177/F. 3 (50) Lab./59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the Government of Rajasthan is pleased to exempt all the shops and commercial establishments situated in the municipal area of Bikaner from the operation of sections 11 (1) and 12 (1) of the said Act on account of Teej Festival falls on Bhadwa Badi Teej.

*Published in Raj. Raj-patra part IV (c) dated November 26, 1959 at page 173*

Industries (C) Department  
(Labour Section)

NOTIFICATION

*Jaipur, November 26, 1959.*

No. D. 10406/F. 3(50) Lab./59.—In exercise of the powers conferred by sub-section (2) of section 11 of the Rajasthan Shops & Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government, after making an enquiry in the prescribed manner, hereby orders that with immediate effect no shop or

commercial establishment in any area of the State of Rajasthan in which the said Act is in force shall :—

(1) during the period from 15th October to 15th March in the year be opened on any day earlier than 8 a.m. or be closed on any day later than 9 p.m., and

(2) during the period from 16th March to 14th October in the year be opened on any day earlier than 8 a.m. or be closed on any day later than 10 p.m.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated July 21, 1960 at page 238*

*Jaipur, April 29, 1960.*

No. D. 1945/F. 3(50)/Ind./(C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government hereby exempts the offices of the lawyers from all the provisions of the said Act.

*Jaipur, April 12, 1960.*

No. D 613/F. 3(5)/Lab./59.—In this Department Notification No. F 3(5)/Lab./59/3553 dated the 15th May, 1959 published in Rajasthan Gazette (Extraordinary) dated the 16th May, 1959, item number 13 relating to the appointment of Welfare Inspector, Bijainagar as Inspector for Bijainagar (Municipal area) shall be deleted.

### NOTIFICATION

*Jaipur, May 10, 1960.*

No. D. 3880/F.3(50)/Ind.(C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishment Act, 1958 (31 of 1958), the State Government hereby exempts the Bakers from the provisions of sections 11(1) & 12 (1) of the said Act.

By Order of the Governor,  
P. N. SETH,  
Dy. Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated November 17, 1960 at page 491*

*Jaipur, October 12, 1960.*

No. F. 3 (50) Lab./59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (No. 31 of 1958), the State Govern-

ment hereby exempts all Government Circuit House in Rajasthan from the operation of the aforesaid Act, throughout the year.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated August 18, 1960 at page 286.*

Labour Department

NOTIFICATION

*Jaipur, August, 3, 1960.*

No.F. 3(50) Ind.(C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops & Commercial Establishments Act, 1958 (Rajasthan Act No. 31 of 1958), the State Government hereby makes the following amendment in this Department Notification No. D. 10630/F. 3(50) Ind. (C)/59, dated 3-3-60, published in Rajasthan, Rajpatra, dated the 16th June, 1960, Part IV (C), namely :—

AMENDMENT

“Item No. 3 shall be deleted.”

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

Labour department

## NOTIFICATION

Jaipur, January 10, 1961.

No. F. 3 (48)/Ind (C)/60.—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Shops and Commercial Establishment Act, 1958 (Act No. 31 of 1958), the State Government hereby makes the following further amendments in this department notification No. F. 3 (51)/Lab/59/3556, dated the 15 May, 1959 (as amended by this department notification No. F. 3 (50)/Lab/59—3556, dated the 30th May, 1959, published in the Rajasthan Gazette Extraordinary Part IV-C, dated the 30th May, 1959, at pages 169-170), namely:—

### AMENDMENT

In the said notification:—

“The entries at S. Nos. 64 and 66” be deleted.

Jaipur, January 10, 1961.

No. F. 3 (48) Ind (C)/60.—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Shops and commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government hereby makes the following further amendments in this department notification No. F. 3 (5) Lab./59/3556, dated the 15 May, 1959 (published in the Rajasthan Gazette Extraordinary Part IV-C, dated the 16 May, 1959 at pages 129-30), namely:—

### AMENDMENT

In the said notification:—

“The entries at So. Nos. 21, 28 to 50 and 52 to 61”  
be deleted.

By Order of the Governor,  
GOVERDHAN SINGH.  
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated July 15, 1961 at page 35 :

Industries ‘A’ Department

## NOTIFICATIONS

Jaipur, July 15, 1961.

No. F. 39 (36) Ind./A/61.—In exercise of the powers conferred by sub-section (1) of section 29 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the



State Government hereby appoints the following persons to be Inspectors for the areas mentioned against each, namely:—

S. No.	Designation.	Area of Jurisdiction or Local Limits for which appointed.	
1	2	3	
1.	Superintendent Weights and Measures and Ex. Officio Dy. Labour Commissioner, Raj., Jaipur.	For whole of Rajasthan.	
2.	Regional Dy. Director Ind. & Supp. Raj., Jaipur.	District of Ajmer, Jaipur, Sikar, Jhunjhunu, Churu, Alwar, Tonk and Sri Ganganagar.	
3.	-do- -do- Jodhpur	Districts of Jodhpur, Jaisalmer, Barmer, Jalore, Sirohi- Pali, Nagaur and Bikaner.	
4.	-do- -do- Kota	Districts of Kota, Bundi, Jhalawar, Banswara, Bharatpur and Sawai Madhopur.	
5.	-do- -do- Udaipur	Districts of Udaipur, Bhilwara, Chittorgarh and Dungarpur.	
6.	District Industries Officer, Jaipur	District of Jaipur excluding Kotputli and Dausa sub-divisions and District, Tonk.	
7.	-do- -do- Alwar	District of Alwar & Kotputli & Dausa sub-divisions of Jaipur District.	
8.	-do- -do- Jodhpur	Distt. of Jodhpur and Nagaur.	
9.	-do- -do- Udaipur	Districts of Udaipur and Dungarpur.	
10.	-do- -do- Ajmer	District of Ajmer.	
11.	-do- -do- Bhilwara	Distt. of Bhilwara and Chittorgarh.	
12.	-do- -do- Pali.	District of Pali, Jalore and Sirohi.	
13.	-do- -do- Bikaner	Districts of Bikaner and Churu.	
14.	-do- -do- Shri Ganganagar	District of Sri Ganganagar.	
15.	-do- -do- Sikar	Districts of Sikar and Jhunjhunu.	
16.	-do- -do- Barmer	Districts of Barmer and Jaisalmer.	

1	2	3
17.	District Industries Officer, Kota	Districts of Kota and Bundi.
18.	-do- -do- Bharatpur	Districts of Bharatpur & Sawai Madhopur.
19.	-do- -do- Jhalawar	Districts of Jhalawar & Banswara.
20.	Inspector Weights & Measures (Headquarters.)	For whole of Rajasthan.
21.	Inspector Weights & Measures Jaipur	Jaipur City.
22.	-do- -do- Jodhpur	Jodhpur City.
23.	-do- -do- Udaipur	Udaipur City.
24.	-do- -do- Kota	Kota City.
25.	-do- -do- Bikaner	Bikaner City.
26.	-do- -do- Ajmer	Ajmer City.
27.	-do- -do- Alwar	Alwar Town.
28.	-do- -do- Tonk	Tonk Town.
29.	-do- -do- Churu	Churu Town.
30.	-do- -do- Pali	Pali Town.
31.	-do- -do- Sardarsahar	Sardarsahar Town.
32.	-do- -do- Sujangarh	Sujangarh Town.
33.	-do- -do- Fatehpur	Fatehpur Town.
34.	-do- -do- Bundi	Bundi Town.
35.	-do- -do- Kishangarh	Kishangarh Town.
36.	Asstt. Inspector Weights & Measures Jaipur	Jaipur City.
37.	-do- -do- Jodhpur	Jodhpur City.
38.	-do- -do- Udaipur	Udaipur City.
39.	-do- -do- Kota	Kota City.
40.	-do- -do- Bikaner	Bikaner City.
41.	-do- -do- Ajmer	Ajmer City.
42.	-do- -do- Beawar	Beawar Town.
43.	-do- -do- Bharatpur	Bharatpur Town.
44.	-do- -do- Dholpur	Dholpur Town.
45.	-do- -do- Barmer	Barmer Town.
46.	-do- -do- Sri Ganganagar	Sri Ganganagar Town.
47.	-do- -do- Sikar	Sikar Town.

1	2	3
48.	-do- -do-	Ratangarh Ratangarh Town.
49.	-do- -do-	Bhilwara Bhilwara Town.

This supersedes all previous Notifications issued in this behalf.

By Order of the Governor,

P. N. SETH,

Deputy Secretary to Government.

*Published in Raj. Raj-patra part IV (c) dated March 1, 1962 at pages 618.*

Labour Department

### NOTIFICATIONS.

*Jaipur, December 18, 1961,*

No. F. 3 (128)/Ind. (C)/59.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops & Commercial Establishments Act 1958 (Act No. 31 of 1958) and in supersession of all previous notifications on the subject, the State Government hereby exempts the following class of shops and commercial establishments from the provisions of the said Act, for such period and subject to such conditions as specified in the table given below namely:—

TABLE

S No.	Class of Shops & Comm. Estt.	Period for which exempted.	Condition of exemptions.	Remarks
-------	------------------------------	----------------------------	--------------------------	---------

1	2	3	4	5
---	---	---	---	---

#### 1. Exemption from all Provisions of the Act.

- |    |   |                   |     |      |
|----|---|-------------------|-----|------|
| 1. | Government establishments, whose activities are mainly educational and hostels attached to such establishments. | Through the year. | ... | .... |
| 2. | Offices of the life Insurance Corporation of India.   | -do-              | ... | .... |
| 3. | Offices of the lawyers.   | -do-              | ... | .... |
| 4. | Government Circuit Houses, Dak Bungalows and Rest Houses.   | -do-              | ... | .... |

#### 2. Exemption from Sections 7, 9, 10 and 11 (1)

- |    |  |                       |     |      |
|----|--|-----------------------|-----|------|
| 1. | Travellers, convassors and such other employees, the State Government by | Through out the year. | ... | .... |
|----|--|-----------------------|-----|------|

1	2	3	4	5
	notification published in State Gazette to be employees, where work is inherently intermittent.			
2.	Persons occupying position of management or an employee engaged in confidential capacity.	-do.	*In the case of Banks, (other than State Bank of India) persons in possession of the power of attorney shall be deemed covered under this category. In case of State Bank the Agent, Accountant, Asstt Accountant and Head Cashiers shall be deemed covered under this category.	
3.	Members of an employee's family.	-do-	...	...

### 3. Exemption from Section 9 of the Act.

1.	Canteens attached to factories registered under the Factories Act, 1948.	Through-out the year.	The exemption applies only to the establishments. The employees, however, shall have the benefits of section 9, along with other provisions of the Act.	
----	--	-----------------------	---	--

### 4. Exemption from section 9 & 10 of the Act.

1.	Salesmen working on petrol pumps on night duty.	Through-out the year.	...	...
2.	Employees exclusively employed in any establishment for the collection, delivery or conveyance goods outside the premises of the establishment or on other outdoor duty including Buyers (Khariddars), Bill Collectors, Travelling Agents, Cooks, Sweepers and menial servants, Tourists and Hotel Guides, Watchmen and Messengers.	do-	...	...

1	2	3	4	4
<b>5. Exemption from section 11 (1) &amp; 10 of the Act.</b>				
1.	Establishment engaged in the grinding of Flour, Dal, Rice and Spices with the aid of power.	Through- out the year.	1.	Provided such establishments do not get continuous supply of power and have to regulate their working, according to the supply made by the Power Stations.
			2.	The exemption applied only to the establishment. The employees however, shall have the benefit of sections 11 (1) alongwith other provisions of the Act.
	Institutions teaching in shorthand & typewrintig.	-do-		The exemption applied only to the establishment. The employees however, shall have the benefit o section 11 (1) alongwith other provisions of the Act.
3.	Estalishments engaged in teaching music and fine arts.	-do-		-do-
4.	Establishment of Count-ry oil Ghanies.	Throughout the year		Provided that these esta- blishments are run on self employed basis and no employees are enga- ged by them.
5.	Hats (weekly fairs).	-do-		
6.	Grain markets, where wholesale purchases of grain are made in the Mandies from village cultivaters by wholesale dealers.	-do-		Such exemption is granted to the extent of hours in the morning. The opening and closing hours in the case of such establish-ments shall be two hours earlier than the prescri-bed opening and closing hours.
7.	All Banks for the day on which they close their	-do-		Subject to the con- dition that over-

1	2	3	4	5
	half yearly and annual accounts.			time wages shall be paid to any person employed beyond the normal working hours.
8.	Banks functioning State Treasuries.	1st and 2nd of each month and 30th and 31st of March and 1st of April each year	(i) This will apply only on the first two days of the month, i.e. on the 1st and 2nd of each month, unless these days fall on Gazetted Holidays. In that case, the days immediately following after such days, shall be deemed to have been exempted. (ii) Subject to the condition that overtime wages shall be paid to any person employed beyond the normal working hours.	
9.	Shops of Barbers, and Hair-dressers, washermen, shoecobblers, Black-smiths and Kaseras.	Throughout the year.	Provided that these establishments are run on self employed basis and no employees are engaged by them.	
10.	Shops dealing in dying work (Rangrej Shops only).	-do-	-do-	
11.	Manufacturing processes not covered by the Factories Act, 1948.	-do-	Provided such establishments are run on eight hourly shifts and provided amenities to their employees, as guaranteed under the Act.	

1	3	3	4	5
<b>6. Exemption from section 11 (1) and 12 (1) of the Act.</b>				
1.	Shops and Commercial establishments dealing mainly in meat, fish, poultry, eggs, milk and milk products, sweets, ice-cream, cooked foods, fruits, flowers, vegetables, betel leaves and chatbhandars.	Throughout the year.	The exemption applies only to the establishments. The employees, however, shall have the benefits of sections 11 (1) and 12 along with other provision of the Act.	....
2.	(i) Shops dealing exclusively in medicines or medical and surgical requisites and appliances; (ii) and shops of chemists and druggist.	-do-	-do-	
3.	Shops dealing in articles required for funeral, burial or cremations.	-do-	-do-	....
4.	Newspaper offices, news agencies and shops dealing in newspapers or periodicals.	-do-	-do-	
5.	Petrol pumps for the retail sale of petrol.	-do-	-do-	
6.	Tanneries on handicraft basis.	Throughout the year.	Provided that these establishments are run on self-employed basis and no employees are employed by them.	
7.	Retail trade carried on at an Exhibition or show subsidiary to or connected with the main purpose of the Exhibition or show and all other shops dealing in retail trade within the authorised premises of the exhibition or show.	For the period of the Exhibition or show.	....	

1	2	3	4	5
8.	Brick and lime kilns.	Throughout the year.	Provided that these establishments are run on self-employed basis and no employees are employed by them.	
9.	Stalls and refreshment rooms at Railway stations and air ports.	-do-	The exemption applies only to the establishments. The employees however, shall have the benefit of section 11 (1) and 12 alongwith other provisions of the Act.	
10	Shops exclusively dealing in the supply of articles for marriage and other ceremonial occasions like Gaslights, utensils, crockery, tents and Shamyanas, furniture, Bands and Orchestra.	-do-	The exemption applies only to the establishments. The employees, however, shall have the benefit of sections 11 (1) and 12 alongwith other provisions of the Act.	
11.	Establishment of Doctors and Medical Practitioners.	-do-	The exemption applies only to the establishments. The employees, however, shall have the benefit of sections 11 (1) and 12 alongwith other provisions of the Act.	
12.	(i) Ayurvedic, Unani or other similar dispensaries run for charitable or philanthropic purposes.	Throughout	The exemption applies only to the establishments. The employees, however, shall have the benefit of sections 11 (1) and 12 alongwith other provisions of the Act.	
	(ii) Dharmshalas run on charitable basis.	-do-	-do-	



1	2	3	4	5
	(iii) Establishment of Auditors, Chartered Accountant and Income-tax practitioners.	-do-	-do-	
13.	Establishments of Motor Transport.	-do-	-do-	
14.	Excise shops.	-do-	-do-	
15.	Establishments of Skin and Hide merchants (Raw only)	-do-	-do-	
16.	Establishments of Fodder Establishments.	-do-	-do-	
17.	Private educational institution other than institutions teaching shorthand and type-writing.	-do-	-do-	
18.	Clubs, Residential Hotels, Restaurants and cafes.	-do-	-do-	
19.	Shops situated inside the premises of Theatres and cinema.	-do-	-do-	
20.	Cinemas, Theatres and other places of Public amusement and entertainment.	-do-	-do-	
21.	(i) Rikshaw owners exclusively dealing in the hire of rikshaws.	-do-	-do-	
	(ii) Shops dealing exclusively in the hire and/or repair of cycles and cycle rikshaws.	-do-	-do-	
22.	Establishments of Bakers	-do-	-do-	
23.	All power stations of electric supply.	Throughout the year.	Provided establishments are run on eight-hourly shifts and provide amenities to their employees, as <i>guaranteed under the Act.</i>	
24.	Photographers of Jaipur city.	Convocation day of the University of Raj-	The exemption applies only to the establishments. The employees, however,	

1	2	3	4	5
		asthan.	shall have the benefit of sections 11 (2) and 12 along with other provisions of the Act.	
25.	Shop and commercial establishments in the following occasions of festivals/fairs.			
1.	Deewali.	Kartik Badi 12 to Kartik Sudi 1 (5 days).	The exemption applies only to the establishments. The employees, however, shall have the benefit of sections 11 (2) and 12 along with other provision of the Act.	
2.	X'mas.	24th and 25th Dec. (2 days).	-do-	
3.	Moharrum.	Moharrum 9th & 10th of Ramzan (2 days).	-do-	
4.	Ramzan-Id (Idulfitar).	Shawal 1st (1 day).	-do-	
5.	Baqra-Id (Idulzuha).	Zilhija 10th (1 day).	-do-	
6.	Dashera	Asoj Sudi 10 & 11 (2 days).	-do- -do-	
7.	Holy & Dhulendi-	Phagun Sudi 30th to Chait Badi 1st (2 days).	The exemption applies only to the establishments. The employees, however, shall have the benefit of sections 11(2) and 12 along with other provisions of the Act.	
8.	Raksha Bandhan.	Shravan Sudi 30th (1 day).	-do-	

1	2	3	4	5
9. Makar Sankranti.	14th Jan. (1 day).	-do-		
10. Independance day.	15th Aug. (1 day).	-do-		
11. Republic day.	26th Jan. (1 day).	-do-		
12. Sheel Saptami.	Chait Badi 7th (1 day).	-do-		
13. Janam Ashtami.	Bhadawa Badi 7th & 8th (2 days).	-do-		
14. Shiv Ratri.	Phalgun Badi 14th (1 day).	-do-		
15. Teej Festival (Muni- cipal area of Bikaner).	Bhadwa Badi Teej (1 day).	-do-		
16. Teej Festival.	Sawan Sudi 3rd (1 day).	-do-		
17. Pushkar fair, Pushkar.	Kartik Sud 11 to Man- gsar Sud 3rd (8 days).	-do-		
18. Khwaja fair, Ajmer.	1st of Rajab to 8th of Ra- jab (8 days).	-do-		

### Exemption from Section 12 (1) of the Act

- |  |   |  |
|--|---|--|
| 1. Establishments engaged in the manufacture of Ice and areated water. | From 1st April to 31st Oct., each year. | The exemption applies only to the establishment. The employees however shall have the benefit of section 12 alongwith other provisions of the Act. |
| 2. Stalls situated in the premises of Bus-stands.                      | Throughout the year.                    | -do-   |
| 3. Establishments of independent Handlooms weavers in the State.       | -do-                                    | -do-   |

## *Notifications under*

### RAJ. SHOPS & COMMERCIAL ESTABLISHMENTS ACT, 1958

**Notification No. F. 3 (38) Lab/60/5485.**—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Rajasthan Act 31 of 1958), the State Government hereby makes the following further amendments to this Department Notification No. F. 3 (5) Lab/59/3556, dated the 15th May, 1959, published in the Rajasthan Gazette Extraordinary Pt. IV-C, dated the 16th May, 1959, as amended by this Department Notification No. F. 3 (5) Lab./59/3556, dated the 30th May, 1959, published in the Rajasthan Gazette Extraordinary Pt. IV-C, dated the 30th May, 1959, namely:—

#### AMENDMENTS

In the table given below the Industries (C) Department Notification No. F. 3 (5)/Lab./59/3556, dated the 15th May, 1959 amended as aforesaid, the entries at serial numbers 15, 24, 25, 26, 27, 51 and 63 be deleted.

[Rajasthan Gazette Part IV (Ga.) dated 19-9-63—Page 320].

**Notification No. F. 3 (67) Lab./61.**—In exercise of the powers conferred by sub-section (5) of section 1 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Act No. 31 of 1958), the State Government after giving three month's notice of its intention to do so published in Rajasthan Rajpatra No. 16 dated the 19th July, 1962 in Part I B, hereby extends the provisions of section 12 of the said Act to the areas specified below, namely:—

S. No. 1	Name of town 2	Name of District 3
1	Ladnu	Nagar
2	Lachmangarh	Sikar
3	Banswara	Banswara
4	Phalodi	Jodhpur
5	Rajgarh	Churu
6	Hindaun	Sawai Madhopur
7	Pratapgarh	Chittorgarh
8	Sojat	Pali
9	Sambhar	Jaipur
10	Gangapur	Sawai Madhopur
11	Makrana	Nagaur
12	Kuchaman	Nagaur

1	2	3
13	Deeg	Bharatpur
14	Ramgarh	Sikar
15	Chomu	Jaipur
16	Nathdwara	Udaipur
17	Jaisalmer	Jaisalmer
18	Barsi	Bharatpur
19	Didwana	Nagaur
20	Dungargarh	Churu
21	Sirohi	Sirohi
22	Chittorgarh	Chittorgarh
23	Chirawa	Jhunjhunu
24	Shahpura	Bhilwara
25	Pipar	Jodhpur
26	Pilani	Jhunjhunu
27	Sadri	Pali
28	Dausa	Jaipur
29	Nohar	Shri Ganganagar
30	Nimbahera	Chittorgarh
31	Bilara	Jodhpur
32	Kotputli	Jaipur
33	Taranagar	Churu
34	Dungarpur	Dungarpur
35	Kekri	Ajmer
36	Deoli	Tonk
37	Bijainagar	Ajmer
38	Jalore	Jalore

[Rajasthan Gazette-Part I (Kha.) dated 21-11-1963-Page 570 Labour and Employment Department.]

Notification No. F. 3 (33)/L and E/64.—In exercise of the powers conferred by sub section (2) of section 11 of the Rajasthan shops and Commercial Establishments Act, 1958 (Rajasthan Act XXXI of 1958), the State Government after making an enquiry as required by the said sub-section hereby orders that from 21st day of August, 1964, on shop and commercial establishment situated in the towns and cities as specified in the Schedule hereto annexed shall,—

(1) during the period from 15th October in any year to 14th March in the succeeding year be opened on any day earlier than 9 a. m. and be closed on any day later than 8 p. m. and

(2) during the period from 15th March in any year to 14th October of the same year be opened on any day earlier than 9 a. m. and be closed on any day later than 9 p. m.

## SCHEDULE

**List of towns or cities where the Rajasthan Shops and Commercial Establishments Act, 1958 is applicable.**

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S No.	Name of town or city
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- |     |                |
|-----|----------------|
| 1.  | Jaipur.        |
| 2.  | Jodhpur.       |
| 3.  | Kota.          |
| 4.  | Bikaner.       |
| 5.  | Alwar.         |
| 6.  | Ajmer.         |
| 7.  | Kishangarh.    |
| 8.  | Beawar.        |
| 9.  | Pali.          |
| 10. | Barmer.        |
| 11. | Ratangarh.     |
| 12. | Sujangarh.     |
| 13. | Churu.         |
| 14. | Ganganagar.    |
| 15. | Sardar Shahar. |
| 16. | Tonk.          |
| 17. | Bharatpur.     |
| 18. | Dholpur.       |
| 19. | Bundi.         |
| 20. | Sikar.         |
| 21. | Fatehpur.      |
| 22. | Bhilwara.      |
| 23. | Udapur.        |
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[Pub. in Raj. Gaz. Ex. Part IV (Ga.) Dated 18-8-1964]

Labour & Employment Department

Jaipur, August 31, 1965

**Notification No. F. 3 (66) Lab./63.**—In exercise of the powers conferred by section 20 of the Rajasthan Shops and Commercial Establishment Act, 1958 (Rajasthan Act 31 of 1958) hereinafter referred to as “the said Act”, the State Government hereby directs that the provisions of the Payment of Wages Act, 1936 (Central Act IV of 1936), shall apply with immediate effect to all classes of employees in the establishments to which the said Act applies and in places specified in the Schedule appended hereto, where the population is 25,000 and more.

## SCHEDULE.

S. No. 1	Name of town or city 2	District, 3
1.	Jaipur	Jaipur
2.	Jodhpur	Jodhpur
3.	Kota	Kota
4.	Bikaner	Bikaner
5.	Alwar	Alwar
6.	Ajmer	Ajmer
7.	Kishangarh	Ajmer
8.	Beawar	Ajmer
9.	Pali	Pali
10.	Barmer	Barmer
11.	Ratangarh	Churu
12.	Sujangarh	Churu
13.	Churu	Churu
14.	Ganganagar	Ganganagar
15.	Sardarshahar	Churu
16.	Tonk	Tonk
17.	Bharatpur	Bharatpur
18.	Dholpur	Bharatpur
19.	Bundi	Bundi
20.	Sikar	Sikar
21.	Fatehpur	Sikar
22.	Bhilwara	Bhilwara
23.	Udaipur	Udaipur

(Pub. in Raj. Gaz. 4 (G)—Dated 14-10-65—Page 321]

Labour and Employment Department

Jaipur, February 25, 1966.

Notification No. F. 3 (59) Lab./63.—In exercise of the powers conferred by sub-section (2) of section 3 of the Rajasthan Shops and Commercial Establishments Act, 1958 (Rajasthan Act 31 of 1958), and in partial modification of this Department Notification No. F. 3 (128) Ind (C/59, dated the 1st December, 1961, so far it relates to the establishments engaged in the manufacture of ice and aerated waters, the State Government hereby exempts the said establishments from the provisions of sub-section (1) of section 12 of the said Act for the period with effect from the 1st day of February to the 31st day of October every year.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 7-4-66—Page 23]

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*Rules and Notifications under*

SOCIETIES REGISTRATION ACT, 1860.  
( CENTRAL ACT No. 21 OF 1860 ).

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*Notifications under*

**SOCITIES REGISTRATION ACT, 1860.**

*Published in Raj. Raj-patra Dated December 31, 1949. Vol 1 No. 141 at page 1*

Government of the United State of Rajasthan

Revenue Department

Government Order.

Jaipur, December 23, 1949,

No. F-1 (300)/Co-op-49.—The Government of the United State of Rajasthan is pleased to appoint the Registrar, Co-operative Societies, United State of Rajasthan to be the Registrar of Joint-stock Companies for Rajasthan also for the purposes of laws corresponding to the Indian Companies Act, 1913, and the Indian Societies Registration Act, 1860.

H. D. UJWAL,

Revenue Secretary to the Government  
of the United State of Rajasthan.

*Published in Raj. Raj-patra Dated September 25, 1958 part I (b) at page 766.*

Industries 'A' Department

**NOTIFICATION**

Jaipur, September 10, 1958.

No. D. 10790/F. 11 (37) IND (A)/57.—In pursuance of section 3 of the Societies Registration Act, 1860 (XXI of 1860) the State Government hereby directs that the fee for registration of Societies formed for the purpose of establishing and maintaining a hostel or a boarding house for the benefit of students, shall be rupees Five only.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

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*Rules and Notifications under*

RAJ. SOIL & WATER CONSERVATION ACT, 1964.

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# RAJ. SOIL & WATER CONSERVATION RULES, 1966.

Agriculture (C.11) Department

Jaipur, April 25, 1966.

*Notification No F. 11 (4) Agr. /58.*—In exercise of the powers conferred by section 5 of the Rajasthan Soil and water Conservation Act, 1964 ( Rajasthan Act No. 1 of 1965 ), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Soil and water Conservation Rules, 1966.

2. *Definitions*—In these rules, unless the context otherwise requires:—

(i) 'Act' means the Rajasthan Soil and water Conservation Act, 1964 ( Rajasthan Act 1 of 1965 ),

(ii) 'Form' means a form appended to these Rules.

(iii) 'Section' means a section of the Act.

(iv) 'Beneficiary' means a person declared as such within the meaning of sub-section (ii) of section 2 of the Act and as defined in rule 3 of the said rules.

3. *Procedure for declaring a beneficiary under sub-clause (ii) of clause (a) of section 2 of the Act.*—To determine a beneficiary under sub-section 2 (a) (ii) of the Act, the District Soil Conservation Officer will issue a notice in Form 1 to person/s who occupy the land or who are supposed to own or hold the land and are likely to be benefitted by the execution of the plan, inviting objections within a period of 30 days of the service of the notice. Any objection/s received, will be considered by the District Soil Conservation Officer who shall decide the matter after giving an opportunity of being heard to the parties concerned. In case no objection/s are received, District Soil Conservation Officer shall finalise the proceedings and notify the same to the parties concerned under intimation to the authority which sanctions the Plan.

4. *Proclamation of orders sections 4 and admission of claims for compensation.*—Upon the publication of the order under section 4, the Collector shall cause to be published a proclamation in Form 2 by affixing a copy thereof:—

(1) On the notice Board in the Office of the Collector, sub-divisional Officer, Vikas Adhikari and the Tehsildar concerned.

(2) At the Panchayat-ghar, and at such other place/s, if any, as the Collector may consider appropriate in such village/s or town/s as are comprised in the notified area.

*5. The period within which claim under sub-section (2) of section 5 is to be preferred.*—All claims preferred under sub-section (2) of section 5 shall contain full particulars as required in the proclamation referred to in rule 4 and shall be preferred in writing to the Collector within a period of 30 days from the date of issue of the proclamation.

*6. Inquiry by the Collector.*—The Collector shall then hold an inquiry after summoning the claimant and his witnesses if any, and such other persons known or believed to have interest in the land for which claim has been preferred on a date fixed for hearing or any other date to which the hearing may be adjourned and shall determine the amount of compensation under sub-section (3) of section 6.

*7. Notice of the Award.*—(1) The Collector shall give a notice of his award under sub-section (4) of section 6 in Form 3.

(ii) The notice of such award shall be given to the claimant/s or his/their representative/s and to person/s to whom compensation is payable, in the manner specified below:—

(a) In person by delivering or tendering it to them; or

(b) through their agent/s, if any, by delivering or tendering it to the agent/s or

(c) by registered post.

*8. Manner of proposing Representative of Farmer's Forum as member of Board.* One representative of the Rajasthan Branch of Farmer's Forum, purposed by the President thereof in consultation with the Executive Body of the Forum, shall be a member of the Board.

*9. Conduct of business by and procedure to be followed for meetings of the Board.*—(i) (a) The Board shall meet at least once a year and more frequently, if necessary. The Chairman of the Board may either at the request of any Member or of his own accord convene a meeting of the Board.

(b) All notices of such meeting shall be issued by the Secretary at least 15 days in advance specifying the place and time of meeting, provided that the Chairman may if he considers necessary, call an emergent meeting at a shorter notice. Ordinarily, notice regarding meetings shall be sent by post under Certificate of posting which shall be considered as sufficient proof of notice.

(c) Seven Members shall form a quorum.

(ii) *Perforance of duties of Chairman in his absence.*—In the absence of the Chairman, a member nominated by him in writing and when no such nomination has been made, a person chosen by the members present in the meeting, shall preside over the meeting of the Board.

(iii) *Record of Proceedings.*—The record of proceedings of the meeting shall be maintained in a proceeding book by the Secretary and signed by the Secretary and the Chairman.

(iv) *Confirmation of Proceedings.*—Before transacting any business, the proceedings of the last meeting if any, shall be read out and confirmation thereof shall be recorded and signed by the Chairman.

(v) *Mode of Voting.*—Voting, when necessary, shall ordinarily be by show of hands but it may be by bellot when so required by the Chairman.

(vi) *Presence of Non-members by special invitation.*—The Chairman may request any person/s to attend a meeting/s by special invitation but such person/s shall have no right to vote.

(vii) *Payment of T. A. and D. A.*—(a) The Non-official member/s of the Board shall be paid T. A. and daily allowance for attending the meeting of the Board at the rates admissible under the State T. A. Rules to the Government Officers of the status of class I. Such claims shall be preferred to the Secretary of the Board who shall check and pass the claims. These claims shall be chargeable to the T.A. grants of the Agriculture Department.

(b) The official members shall be entitled to receive T.A. and where permissible, at the rates admissible to them from their respective Departments.

(c) Non-official members residing at the place of meeting, shall be entitled to receive Rs. 5/- per day by way of conveyance allowance.

10. *Circumstances and Conditions subject to which the District Committee or District soil Conservation Officer may approve and sanction a plan.*—(i) Where a plan is confined to a Panchayat Samiti area, the District Soil Conservation Officer will accord technical and financial sanction of the plan and execute work within the powers delegated to him.

(ii) When a plan covers more than one Panchayat Samiti area or when such plan is beyond the financial competence of District Soil Conservation Officer, it shall be submitted to the District committee for sanction within the limit of its financial powers.

(iii) Plans, the technical sanction of which is beyond the competence of the District Soil Conservation Officer, or plans which are beyond the financial powers of the District Committee, shall be submitted to the State Soil Conservation Officer for sanction.

11. *Conduct of Business and Procedure to be followed by the District Committees.*—(i) The Committee should meet at least once a quarter and more frequently, if necessary, the Chairman of the Committee may either at the request of any member or of his own accord convene a meeting of the Committee.

(b) All notice of such meeting shall be issued by the Secretary atleast 15 days in advance specifying the place and time of the meeting, provided that the Chairman, may if he considers necessary, call an emergent meeting at a shorter notice. Ordinarily, notice regarding meetings shall be sent by post under "Certificate of posting" which shall be considered as sufficient proof of notice.

(c) Three members shall form a quorum.

(ii) *Performance of Duties of Chairman in his absence.*—In the absence of the Chairman, a member nominated by him in writing and when no such nomination has been made, a person chosen by the members present in the meeting, shall preside over the meeting of the District Committee.

(iii) *Record of Proceedings.*—The record of proceeding of the meeting shall be maintained in a proceeding book by the Secretary and signed by the Secretary and the Chairman.

(iv) *Confirmation of proceeding.*—Before transacting any business the proceedings of the last meeting if any, shall be read out and confirmation there of shall be recorded and signed by the Chairman.

(v) *Mode of Voting.*—Voting, when necessary, shall ordinarily be by show of hands but it may be by ballot when so required by the Chairman.

(vi) *Presence of Non-members by special invitation.*—The Chairman may request any person/s to attend a meeting/s by special invitation but such person/s shall have no right to vote.

(vii) *Payment of T. A. and D. A.*—(a) The Non-official member/s of the Committee shall be paid T. A. and D.A. for attending the meeting of the District Committee at the rates admissible under the State T. A. Rules to the Government Officers of the status of class I. Such claims shall be preferred to the Secretary of the Committee who shall check and pass the

aims. These claims shall be chargeable to the T. A. and D.A. nts of the Agriculture Department.

(b) The official members shall be entitled to receive T. A. and D.A. where permissible, at the rates admissible to them in their respective Departments.

(c) Non-official members residing at the place of meeting, shall be entitled to receive Rs. 5/- per day by way of conveyance allowance.

12 *Functions of the District Soil Conservation Officers.* — The District Soil Conservation Officer shall perform the following functions.—

(a) To select suitable areas catchments suitable for drawing up Soil Conservation Plans.

(b) To draw up a draft Soil Conservation Plan.

(c) To refer the draft plan to the Panchayat Samiti/s concerned for their comments within a specified period.

(d) To review the draft plan in the light of comments, if any received from the Panchayat Samitis.

(e) To forward the draft plan to the Inquiry Officer under section 19 of the Act if deemed necessary. And to function as Inquiry Officer in the case of draft plan approved by him or in respect of such plans for which he has been appointed as Inquiry Officer.

(f) To examine and sanction the draft plans/s within his technical and financial powers and in other cases to obtain technical and financial sanction of the competent authority.

(g) To ensure expeditious and efficient implementation of the approved plans.

(h) To assist and guide the Panchayat Samiti/s in the development of suitable Soil and Water Conservation Plans.

(i) To organise suitable field demonstrations and to hold field days in consultations with the Panchayat Samiti staff with a view to explain the programme to the field staff and the farmers.

(j) To organise special training programmes for the extension staff and farmers.

(k) To assist the District Committee in formulating an annual programme of work.

(l) To carry out periodical inspections of works with a view to examine progress and furnish technical guidance and supervision.

(m) To exercise adequate financial control and to ensure that accounts are maintained and rendered properly.

## Raj. Soil &amp; Water Conservation Rules, 1966

(n) To prepare quarterly, annual and any other periodical reports of progress of the various schemes and plans as may be required, and to forward the same to the State Soil Conservation Officer.

(o) To carry out directions of the District Committee, State Soil Conservation Officer and the Board.

13. *Procedure to be followed by the Inquiry Officer and the manner of publication of the draft plan under section 19 of the Act.*—On receipt of a draft scheme/plan approved or prepared by the Board, District Committee, District Soil Conservation Officer or State Soil Conservation Officer, the Inquiry Officer shall issue a notice in form No. 4 and display the same in the manner provided in rule 4. The contents of the notice shall also be published by beat of drum in the village or villages to which the draft plan relates.

(ii) The details of draft plan shall be displayed in the following manner during office hours on working days for a period of 30 days from the date of publication of the public notice.

(a) Draft Plan approved by the District Soil Conservation Officer shall be displayed in the Gram Panchayats concerned and in the concerned offices under the supervision and control of the District Soil Conservation Officer, and Panchayat Samiti concerned.

(b) Draft plans approved or prepared by the District Committee shall be displayed at the places indicated in clause (a) above and also in the office of the District Soil Conservation Officer.

(c) Draft Plans approved or prepared by the State Soil Conservation Officer or Board shall be displayed as provided in clause (b) above and in addition in the office of the State Soil Conservation Officer.

Any suggestions or objections pertaining to the said draft plans shall be received only within 30 days from the date of publication of the public notice.

14. *Procedure for the publication of sanctioned Plans under section 21 (3).*—After the plan has been finalised the Executive Officer shall prepare a Notice in Form No. 5 and shall get it published in the official Gazette. He shall also specify in the Notice the place/places in every village and at the head quarters of the sub-division in which the lands included in the plan are situated, when and during what time the copies of the sanctioned plans will be made available for inspection free of cost.

15. *Correction of clerical and arithmetical errors.*—The Executive Officer, after checking the relevant records, plans etc.



may correct any clerical or arithmetical error, in calculation of estimate of works, actual cost of works and such other figures as may be affected by such correction, and intimate the authority which has sanctioned the Plan.

16. *Period of Payment and rate of interest to be charged.*—Every beneficiary, whose work is carried out by the Executive Officer, shall pay the cost in such equal annual instalments, not exceeding 15, as may be fixed by the Executive Officer. The first instalment will fall due one year after the completion of the work. It will bear such interest as Government may fix from time to time. If the beneficiary fails to pay the instalment when due, it will bear penal interest at 1½% above the normal rate of interest fixed by Government from time to time.

17. *Liability of persons whose lands are not included.*—If any default is made in the payment of contributions mentioned in sub-section (2) of section 25 of the Act, the Collector or any Officer authorised by him in his behalf shall recover the amount from the persons concerned as arrears of Land Revenue and pay the amount to the person entitled to it under sub-section (1) of section 25 of the Act.

18. *Reports.*—(i) Quarterly Reports of progress of work and expenditure shall be prepared by the Executive Officer in respect of individual plans sanctioned at the district level and sent to the District Soil Conservation Officer who shall consolidate all such reports received by him, and forward a consolidated report of all such scheme/plans within his jurisdiction to State Soil Conservation Officer.

(ii) The District Soil Conservation Officer will also prepare a quarterly report of progress in respect of schemes/plans sanctioned by the State Soil Conservation Officer, the Board and the State Government and forward the same to the State Soil Conservation Officer.

(iii) The progress of plans shall also be reported to the District Committee/State Board, as the case may be, by the District Soil Conservation Officer/State Soil Conservation Officer respectively.

19. *Maintenance of works carried out before the date of commencement of the Act.*—(1) The District Soil Conservation Officer shall maintain a list of all works which had been or were being undertaken on or before commencement of the Act and submit a copy of the same to the State Soil Conservation Officer by 30th September, 1966. These lists should contain the following particulars:—

1. Serial No.
2. Name of village, Panchayat Samiti and District.
3. Khasra No.
4. Total area in acres.
5. Nature of Soil Conservation work done.
6. Name/s of Owner/s, area (in acres) held by each with Khasra Nos.
7. Whether work is to be maintained and repaired individually or jointly by owners as mentioned at item 6.
8. Instructions regarding maintenance and repair.
9. Map of the area/catchment.
10. Any other remarks.

(ii) As provided under sub-section (2) of section 27, a notice in Form 7 shall be served on each beneficiary who is liable to maintain such works, before finalising the above statement.

20. *Entry in the records of rights.*—As required under sub-section (3) of section 27, a statement shall be prepared in Form 8.

(i) One copy of the statement will be served upon the beneficiary and three copies will be sent to the Tehsildar, who will forward two copies to the Patwari concerned. The Patwari will make necessary entries in the Khasra Girawari and attach one copy of the Statement with the relevant record and thereafter return one copy to the Tehsildar recording his compliance report. On the basis of his report the Tehsildar will complete the entries provided on the back of the form and forward one statement to the District Soil Conservation Officer concerned.

(ii) The entry in the Khasra Girdawari shall be repeated from year to year by the Patwari.

21. *Taking over temporary possession of land under section 29 of the Act.*—(i) The Board shall issue directions to the Collector in Form 9 to take possession to land specified in the order.

(ii) On receipt of the directions of the Board, the Collector shall cause notice to be issued for taking over temporary possession of the land to the owner/s in Form 10 in the following manner:—

- (a) personally by delivering or tendering it to him, or
- (b) through his agent, if any, by delivering or tendering it to the agent, or
- (c) by affixing a copy thereof at some conspicuous place on the land to which it relates, or
- (d) by Registered post, or

(e) where the person cannot be found, by leaving an authentic copy of the order with any adult member of his family or by affixing such copy on some conspicuous part of the premises in which he is known to have last resided or carried on business or personally worked for profit.

(iii) Objections, if any, by the owner/s may be file within a period of 30 days of the said notice.

(iv) After hearing the objections and petitions, if any the Collector shall issue appropriate orders. If the objections are not valid, the Collector shall issue orders in Form 11 for taking over possession of land.

22. *Termination of possession on completion of reclamation.*—(i) The Collector may, before making over the possession of land under sub-section (1) of section 32, require the officer appointed by the Board for the purpose of reclamation to submit detailed report on the reclamation of the said land.

(ii) On receipt of the report of the said Officer, the Collector may issue a general notice as to why the order for the restoration of the possession of the land in question should not be made in favour of the party or parties from whom possession was taken under sub-section (3) of section 29.

(iii) On the day fixed for hearing, or on any day to which the enquiry may be adjourned, the Collector should proceed to enquiry into the objections, if any, by hearing the persons present, examining the documents, if any, produced by him/ them, and decide the objection/s and pass orders in Form 12.

(iv) A copy of the order shall be sent to the person to whom the possession of the land is to be restored.

23. *Manner of Inquiry under section 33 of the Act.*—(i) The Collector, on receipt of an application for compensation, shall appoint an inquiry officer by a notification displayed at the places specified under Rule 13 in respect of any land under enquiry which shall be mentioned in the notification.

(ii) The inquiry officer shall be a Revenue officer not below the rank of Naib Tehsildar.

(iii) The Inquiry Officer shall determine :—

(a) the annual rent payable by the Khatedar tenant.

(b) the average gross annual income assessed on the date of the past three years;

(c) the net amount of the compensations payable to the Khatedar tenant, mentioning the name of the person/s to whom the same is payable.

(iv) In respect of any other land he shall determine the average net annual income, if any without deducting any land

revenue. This amount shall also be determined on the basis of the income derived during the three preceding years.

(v) In conducting this inquiry, the inquiry officer, shall have access to all available information including the claim preferred by the tenant.

(vi) The Collector, shall on receipt of the report of the Inquiry Officer, issue an award of compensation in Form 13 endorsing a copy thereof to the Board and the District Soil Conservation Officer.

24. *Accounts.*—(i) Accounts of all receipts and expenditure of money for reclamation of waste-lands as provided in section 30 of the Act shall be maintained by the District Soil Conservation Officer.

(ii) A Ledger in Form 14 shall be maintained and all income and expenditure for such plans in the district shall be recorded in brief as and when any transaction takes place. Separate entries will be made for separate plans. Each entry will be initialled by the District Soil Conservation Officer. Daily totals will be struck and signed by the District Soil Conservation Officer.

(iii) At the close of each month the totals of the income and expenditure will be worked out and the cash balance verified by District Soil conservation Officer and a note of verification recorded in the ledger.

(iv) A separate ledger for each plan will also be maintained in form 15A and 15B in the same way.

25. *Appeals.*—(i) Appeals against orders shall be heard by the authorities specified below:—

(a) In the case of order under sub-section (3) of section 6 and section 32 and 33 appeals shall be filed before the Revenue Appellate authority.

(b) In the case of an order passed under section 29, appeals shall lie to the State Government.

(ii) The period for filing appeals under section 38 shall be 30 days from the date of communication of the order.

(iii) The procedure for filing an appeal and for hearing and disposal thereof shall be the same as is prescribed for appeals under the Rajasthan Land Revenue Act, 1956.

26. *Public Access to Documents.*—All documents and plans shall be accessible to the public in accordance with Rajasthan Registration Rules and copies thereof may be made available to the general public on payment of the charges as under.

(i) *Site Plan.*—Blue print copy (Size 16"=1 Mile), for individual holding. Re. 0.50 Paise per copy.

(ii) *Soil and under Conservation plan*.—Blue Print copy (16"=1 Mile) complete with agronomic recommendation for individual holding Rs. 2.50 per copy.

(iii) Copies of written documents @ Re. 1/-per one thousand words.

27. *Records to be Maintained*.—In addition to the various registers required to be maintained and returns to be rendered under General Financial and Accounts Rules, the following registers and records are required to be maintained by the District Soil Conservation Officer and or the Executive Officer.

A—*Registers*.—(1) Registers for disposal of proposal for catchments/areas for which plans are to be prepared.

(2) Register of works completed since the date of commencement of the Act.

(3) Register of funds allocated for individual plans and the works done.

(4) Registers for recoveries from beneficiaries.

(5) Register for money received from farmers for execution of work.

(6) Register for correction of errors in the plan.

(7) Ledger of accounts.

B—*Statements*.—(i) Quarterly statements of cases pending technical and financial sanction.

(ii) Quarterly statements of notifications sent for publications in official Gazette.

(iii) Quarterly statements of work-material to be procured.

(iv) Quarterly statements of recovery from individual cultivator to be rendered to the Collector.

(v) Quarterly statements of progress of works.

### FORM 1

[See rule 3]

Whereas a plan for carrying out soil and water conservation measures in .....Khasra No.....has been prepared and.

Whereas Shri/Shrimati..... is supposed to have interest in Khasra No..... by virtue of his/her..... being an occupant/holder or owner of the land.

Now, therefore in exercise of the powers conferred upon me under section 2 (a) (ii) of the Rajasthan Soil and Water Conservation Act, 1965, I..... District Soil and Conservation Officer ..... hereby direct the said Shri/Serimati..... to indicate to the undersigned

within a period of 30 days of the service of this notice as to way Shri/Shrimati..... .. be not declared a beneficiary within the meaning of Section 2 of the Act.

If no objection is received within the prescribed period the case will be decided ex parte.

Date..... .. District Soil Conservation Officer.

Place ..... ..

## FORM 2

[See rule 4]

Whereas the Government have imposed regulation/restriction/prohibition under section 4 of the Rajasthan Soil and Water Conservation Act, 1964 vide notification No.... .. dated.... ..

Now, therefore, as provided in sub-sections (2) and (3) of section 5 of the Act you are called upon to prefer your claim, if any to the undersigned in writing, giving the following particulars in support of your claim.

1. The name of the persons with parentage and address.

2. Full description of the land along with Khasra numbers thereof with area of each Khasra number and the name of village/s and the Tehsil/s in which it is situated.

3. Value of land.

4. Land revenue or rent payable in respect of such a land.

5. Nature of the right of the claimant in the land.

6. Classification of the land as recorded under the settlement record.

7. Gross income yearwise from the land during the last three years.

8. Amount of the damages anticipated by the claimant as a result of the regulation/restriction or prohibitions imposed upon him under the proclamation on the exercise of his rights in the land as claimed.

9. Any other particulars.

(a)

(b)

(c)

This claim should be preferred within a period of 30 days from the date of issue of proclamation.

Collector..... ..

Copy of District Soil Conservation Officer..... ..

Collector..... ..

### FORM 3

(See Rule 7)

Before.... at in.....in the case of.....  
case No.....of 19....

To

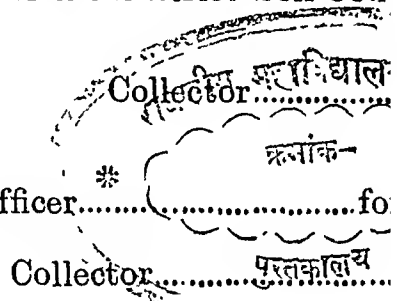
Shri/Shrimati.....S/o-D/o..... resident of  
village.....Tehsil.....District.....

You are hereby informed that a sum of Rs .....(Words)  
.....has been determined under subsection (4) of section 6  
of the Rajasthan Soil and Water Conservation Act, 1964 as  
payable to you in respect of the right, the exercise of which is  
regulated/restricted/prohibited by order No.....dated ...  
.....issued under section 4 of the said Act, you may  
receive the said amount from the office of the District Soil Con-  
servation Officer.....

Date....

Copy forwarded to the :—

The District Soil Conservation Officer.....fo  
information and necessary action.



### FORM 4

( See rule 13 )

Form of notice to be issued under section 19 by the  
Inquiry Officer.

### PUBLIC NOTICE

Notice is hereby given under section 19 of the Rajasthan soil and Water Conservation Act, 1964 read with rule 13 of the Rajasthan Soil and Water Conservation Rules, 1966, that State Soil and Water Conservation Board/District Soil and Water Conservation Committee/District Soil Conservation Officer/ State Soil Conservation Officer has approved a draft plan for taking up Soil and Water Conservation work on land bearing the following particulars:—

1. Khasra No. of the area/catchment.
2. Villagels Panchayat Samiti

District

The details of this plan are on display and can be seen in the following offices during office hours on working days for a period of 30 day from.

- \*1. Office of the Gram Panchayat ..
- \*2. Office of the Panchayat Samiti
- \*3. Office of the Soil Conservation Assistant ..
- \*4. Office of the District Soil Conservation Officer....
- \*5. Office of the State Soil Conservation Officer..

Suggestions and objections if any, may please be sent in writing to the office of the undersigned by the .... day of.... 196 , whereafter no suggestion or objection shall be entertained.

Signature  
Designation of  
Inquiry Officer  
Address

\*If the draft plan has been approved by the District Soil Conservation Officer, the notice shall be displayed at places 1 to 3. If the draft plan is approved by the District Committee, the notice may be displayed at places 1 to 4. If the draft plan is approved by the Board or State Soil Conservation Officer the notice shall be displayed at all the places listed at 1 to 5.

### FORM 5

( See rule 14 )

Form of notice to be issued under sub section 3 of section 21

### PUBLIC NOTICE

Notice is hereby given under sub-section 3 of section 21 of the Rajasthan Soil and Water Conservation Act, 1964 that the State Government/State Soil and Water Conservation Board/State Soil Conservation Officer/District Soil and Water Conservation Committee/District Soil Conservation Officer has approved a plan for taking up soil and water conservation work on lands bearing the following particulars:—

1. Khasra No.
2. Village/s.
3. Panchayat Samiti
4. District.

The plan is on display and can be inspected free of charge at the following places during office hours on any working day for period of 30 days from.....—

- (1) Name of village, specifying the place where plan is on display.
- (2) Office of the Sub-Divisional Officer.

Signature  
Designation of  
Executive Officer.



## FORM 6

( See rule 18 )

PROFORMA FOR SUBMISSION OF QUARTERLY  
PROGRESS REPORT*Proforma for submission of Quarterly Progress Report of  
Soil Conservation Scheme for the quarter ending*

1. Name of District... Panchayat Samiti.... Village.....
2. Date of initiation of the Scheme ....
3. Progress of work and expenditure for the quarter.

Scheme	Date of sanction	Area to be covered (acres)	Funds sanctioned	work done (acres)
1	2	3	4	5
Expenditure incurred during the quarter 6	Expenditure incurred before the quarter 7	Total expenditure incurred 8	Remarks 9	

District Soil Conservation Officer,

FORM 7  
( See rule 19 )

Rule .....

No.

Dated.....

Under Certificate of Posting

From

The Collector,  
District.....  
Rajasthan.

To

.....  
.....  
.....

Dear Sir/Madam,

You are hereby informed that in respect of Soil Conservation works done on your land bearing the following particulars, the responsibility for repairs and maintenance of such works devolves on you under section 28 of the Rajasthan Soil and Water Conservation Act.

If you have any objection, please submit the same within 30 days from the date of issue of this Notice, failing which the case will be decided ex-parte.

S.No.	Village, Panchayat Samiti	Khasra No. of Land	Nature of work done	Whether liabi- lity for mainte- nance is indivi- dual or joint.
1	2	3	4	5

Collector....

### FORM 8

( See rule 20 )

[ Form of Statement as required under sub-section 3 of Section 27 ]

1. Name of the beneficiary.
2. Khasra No.
3. Area (in acres)
4. Total amount to be recovered from the beneficiary.
  - (i) Total cost of work .....
  - (ii) Deduct subsidy.....
  - Net; .....
5. No. of instalments of recovery.
6. Annual instalment of recovery.
7. Date on which first instalment falls due from recovery.
8. Head of accounts against which the amount is to be deposited.
9. Persons liable to maintain and repair works individually or jointly.
10. Remarks.

District Soil Conservation Officer.

Note:—This statement shall be prepared quadruplicate

Copy:—

1. Tehsildar.....(with two spare copies)

He will forward two copies to the patwari who will retain one copy and return the other to the Tehsildar after making necessary entries in the record of right, in respect of the responsibility for maintenance of the Soil Conservation work by the beneficiary/beneficiaries. A note will also be mentioned regarding the amount and period of annual recovery.

2. Shri/Shrimati .....  
(beneficiary)

District Soil Conservation Officer.

### COMPLIANCE REPORT BY THE TEHSILDAR

Forwarded to the District Soil Conservation Officer.....  
with the remarks that a copy of this statement has been attached with the relevant Khasra Girdawari record of village....  
Tehsildar.....

## FORM 9

( See rule 21 )

ORDER OF TAKING TEMPORARY POSSESSION OF  
LAND UNDER SECTION 29 OF THE ACT.

No. .... Dated.....

To .....

The Collector, .....

District.....

Rajasthan.

Whereas the Rajasthan Soil and Water Conservation Board is satisfied that for the purpose of executing the plan of reclamation of waste land it is necessary that the waste land in village..... panchayat samiti..... District..... particulars of which are given below, should be taken into temporarily by you:—

S.No.	Description of land	Survey of Khalsa No.	Area in Acres	Right in which held by owner	Name of the owner	Purpose of taking temporary possession
1	2	3	4	5	6	7

Now, therefore, it is directed that you or any other officer authorised by you shall enter upon and take a temporary possession of the said land after giving due notice and a reasonable opportunity of being heard, to persons concerned.

Secretary,

Rajasthan Soil and Water Conservation Board

Place.....

Date .....

## FORM 10

Notice For Taking Temporary Possession of  
Land Under Section 29 of the ActBefore... at... in the case of...  
case No... of... 19...

To .....

Shri... S/o Shri... Village  
Panchayat Samiti... District...

Whereas it has been ordered by the Rajasthan Soil and Water Conservation Board that the temporary possession of waste land specified in Schedule below should be taken for the

purposes of executing the plan of Reclamation of waste land sanctioned under Rajasthan Soil and Water Conservation Act, 1964.

If you wish to make any representation, you should appear personally or by agent on the ... at the office of ... at ... to State the nature of your objection to the ... and petition of any claim for compensation which you may wish to prefer. If you fail to put in your appearance, the case will be decided ex parte.

S. No.	Description of land	Survey of khasra No.	Area in Acres	Right in which held by the owner	Name of owner	Purpose of taking possession
2		3	4	5	6	7

Collector

No. .... Dated .... District ....

Copy forwarded to the District Soil Conservation Officer for information.

Collector

### FORM 11

(See rule 21)

## ORDER FOR TAKING TEMPORARY POSSESSION OF THE LAND UNDER SECTION 29 OF RAJASTHAN SOIL AND WATER CONSERVATION ACT, 1964.

In the office of the Collector ....

No. .... Dated ....

Case No. .... of .... 19 .....

To Shri/Shrimati .... S/o .... Village ....  
Tehsil .... District ....

Having considered your representation/case in response to/with reference to the notice issued to you in this case, the undersigned is satisfied that it has been necessary to take temporary possession of land being Khasra Nos. .... in Village .... Panchayat Samiti ... Tehsil ... District .... with a view to execute the Soil and Water Conservation Plan under Section ... of the Rajasthan Soil and Water Conservation Act, 1964.

Now, therefore, you ... S/o D/o ... resident, ...  
Tehsil ... are hereby directed this day ... that the temporary possession of the land/s specified above may be

handed over to the District Soil Conservation Officer or his duly authorised Agent on or before the.... day of ... 196 .

Collector ...

No.

Dated... ..

Copy forwarded for information and necessary action to the:—

1. State Soil Conservation Officer.

2. District Soil Conservation Officer ..

3. Tehsildar....

Collector ...

### FORM 12

(See Rule 22)

Order under sub-section (1) of Section 32 of the Act.

No.....

Dated....

Whereas the land reclamation programme has been completed, it is hereby declared that the waste lands which were taken possession of by State Soil Conservation Board under order No.... dated... for reclamation of waste lands, are hereby restored to the owner thereof or their successor as given in the Schedule below:—

S. No.	Description of land	Survey of khasra No.	Area in Acres	Name of owner or lawful successors	Date of restoration of possession of land	Rate of rent to be paid per acre by the tenant	Instructions regarding management of tree, pastures etc.
1	2	3	4	5	6	7	8

Signature.... Collector...  
District....

No....

dated....

Copy forwarded to Shri....  
Tehsil.... District ...

Village ... Post Office

District Soil Conservation Officer.... For information.

Signature....  
Collector....  
District...

## EORM 13.

(See Rule 23)

ORDER REGARDING AWARD OF COMPENSATION  
UNDER SECTION 33 OF THE ACT.

Order No.....

Dated ... ..

Whereas temporary possession of land with Khasra No./s has/have been taken over vide this office order No .....dated ..... Under Section .....of the Rajasthan Soil and Water Conservation Act, 1964, Shri.....S/o.....Village.... Panchayat Samiti ... has preferred claim for compensation.

Now, therefore, it is declared that he shall be entitled to receive the compensation on the date specified in the schedule below:—

S.N.o	Name of Tenant	Khatedar Khasra No.	Annual rent paid by him	Average annual income for past 3 years	Net income (5.4)
1	2	3	4	5	6

No.....

Collector.....

Dated.....

Copy forwarded to the:—

1. Secretary, State Soil Conservation Board.
2. District Soil Conservation Officer.....  
for information and arranging payment.
3. Shri.....S/o.....Village....Panchayat Samiti ...  
for information.

Collector ... ..

## FORM 14.

(See Rule 24)

Ledger of Receipts and Expenditure in respect of the lands of which temporary possession is acquired by the Government.

RECEIPTS				
Date	Ledger folio No.	Particulars of receipt	Amount	Initials of officer
1	2	3	4	5

## EXPENDITURE

Date.	Ledger folio No.	Particulars of expenditure	Amount	Initials of Officer
6	7	8	9	10

## FORM 15 A

(See Rule 24)

Ledger Folio No

## LEDGER BOOK

Name of the owner....

Area of the land....

Survey or Plot and Plan No ... Village....

Tehsil .. District....

Date of taking possession....

## RECEIPTS

Date	No. of receipt	Particulars of Receipt Labour Cost of Misc. charges material Charges	Total	Initials of the Officer
1	2	3	4	5
6	7			

## EXPENDITURE

Date	Ref. of vou- cher or challan No.	Particulars of expenditure Labour Cost of Misc. charges material charges	Initials of Officer
8	9	10	11
			12
			13

## FORM 15 B

(See Rule 24)

REGISTER OF ANNUAL ACCOUNT OF RECEIPTS  
AND EXPENDITURE OF LAND

Name of the owner....

Village....

....Tehsil....

Area of land....

Survey of plot No ..

Date of taking possession....

# Raj. Soil & Water Conservation Rules, 1966

Nature of	I Year	II Year	III Year	IV Year
Receipts/	Receipt	Receipt	Receipt	Receipt
Expenditure	Exp.	Exp.	Exp.	Exp.
V Year	VI Year	VII Year	VIII Year	IX Year
Receipt	Receipt	Receipt	Receipt	Receipt
Exp.	Exp.	Exp.	Exp.	Exp.
			Total	
			Receipts....	....
			Expenditure ...	....
			District Soil Conservation	
			Officer.	

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 26-4-66 Page 18(1)]



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*Rules and Notifications under*

SPECIAL MARRIAGE ACT, 1872.  
( CENTRAL ACT No. 3 OF 1872 ).

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## NOTIFICATIONS UNDER SPECIAL MARRIAGE ACT

*Published in Raj. Raj-patra Vol. 2 No. 22 Dated 3-6-50 at page 149*

### GOVERNMENT OF RAJASTHAN

*General Administration Department.*

#### NOTIFICATION,

Jaipur, May 17, 1950.

*No. F. 1 (44) GA/50.*—In pursuance of section 3 of the Special Marriage Act, 1872 (No. III of 1872), as adapted to Rajasthan by the Rajasthan Adaptation of Central Laws Ordinance, 1950 (No. IV of 1950), Government are pleased to appoint the Collector of each District as Registrar of Marriages within his District.

V. R. ADIGE,

*Additional Secretary to the  
Government of Rajasthan.*

*Published in Raj. Raj-patra Vol. 4 No. 140 Dated 25-10-52 at page 761 :*

### GENERAL ADMINISTRATION DEPARTMENT NOTIFICATION.

Jaipur, October 3, 1952.

*No. F. 2 (147) G.A. (A)/52.*—In exercise of the powers conferred by section 14 of the Special Marriage Act, 1872 (Act No, III of 1872). the Government of Rajasthan is pleased to prescribe the following fees to be paid to the Registrars of Marriages appointed under this Department Notification, No. F. 1 (44) G.A./50 dated the 17th May, 1950:—

	Rs.	as.	ps.
1. For solemnization of a marriage at the office of a Registrar of Marriages.	5	0	0
2. For solemnization of a marriage at a private residence within 5 miles from the office of the Registrar of Marriages.	15	0	0
3. For such solemnization at a private residence beyond 5 miles.	30	0	0
4. For the registration of a notice under section 4 of the Act.	0	8	0
5. For the registration of an objection under section 6 of the Act.	1	0	0
6. For a copy of a Marriage Certificate.	1	0	0
7. For every other application which may be necessary under the Act.	0	8	0

The fees realised will be credited in full to the Consolidated Fund of the State as revenue receipts of the Government under head XLVI—Miscellaneous-other Fees, Fines and forfeitures.

S. W. SHIVESHWARKAR,  
*Chief Secretary to the Government.*

*Published in Raj. Raj-patra Dated January 1, 1955 part 1 (a) at page 242 :*

[Authorised by His Highness the Rajpramukh].

Jaipur, December 27, 1954.

*No. F. 19 (90) Jud./54*—In pursuance of sub-section (1) of Section 3 of the Special Marriage Act, 1954 (43 of 1954), the State Government hereby appoints all District Magistrates in virtue of their office to be Marriage Officers within their respective districts.

By Order of

His Highness the Rajpramukh,  
PRABHU DAYAL LOIWAL,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated March 28, 1957 part IV (c) at page 896 :*

[Authorised by the Governor]

### NOTIFICATIONS

Jaipur, February 28, 1957.

*No. F. 6 (2) LJ/B/57*.—In pursuance of sub-section (1) of section 3 of the Special Marriage Act, 1954 (43 of 1954) and in supersession of Notification No. F. 15 (1) Jud/54, dated the 27th December, 1954 of the Pre-reorganisation State of Rajasthan and corresponding notifications in force in the Ajmer, Abu and Sunel areas, the State Government hereby appoints all District Magistrates in virtue of their office to be Marriage officers within their respective districts.

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*Rules and Notifications under*

SPECIAL MARRIAGE ACT, 1954.  
[ CENTRAL ACT No. 43 OF 1954 ]

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# RAJASTHAN SPECIAL MARRIAGE RULES, 1955

*Jaipur, May 11, 1955.*

No. F- 15 (1) Jud./54.—In exercise of the power conferred by section 50 of the Special Marriage Act, 1954 (XLIII of 1954) the Government of Rajasthan is hereby pleased to make the following rules, namely:—

## *Notes*

The State Government has framed these rules in exercise of the powers conferred by section 50 of special Marriage Act, 1954 (Central Act No. XLIII of 1954). The enabling section reads as under:—

(1) The Central Government, in the case of diplomatic and consular officers and other officers of the Central Government, and the State Government, in all other cases, may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may be provided for all or any of the following matters, namely :

(a) the duties and powers of Marriage Officers and the areas in which they may exercise jurisdiction;

(b) the manner in which a Marriage Officer may hold inquiries under this Act and the procedure therefor ;

(c) the form and manner in which any books required by or under this Act shall be maintained ;

(d) the fees that may be levied for the performance of any duty imposed upon a Marriage Officer under this Act ;

(e) the manner in which public notice shall be given under section 16 ;

(f) the form in which, and the intervals within which, copies of entries in the Marriage Certificate Book shall be sent in pursuance of section 48 :

(g) any other matter which may be or requires to be prescribed.

1. *Short title and commencement.*—These rules may be called the Rajasthan Special Marriage Rules, 1955 and shall come into force on their publication in the Rajasthan Gazette.

1A: *Extension of the Rules to Abu, Ajmer and Sunel area and supersession of corresponding rules in force in those areas:—*

(1) On and from the first day of April, 1957, these rules shall also extend to the Abu, Ajmer and Sunel areas of the new State of Rajasthan as formed by section 10 of the State Reorganisation Act, 1956 (Central Act 37 of 1956).

(2) The corresponding rules, in force in the Abu, Ajmer and Sunel areas of the new State shall stand superseded on and from the aforesaid date.

## *Notes*

The sub-rule 1 (a) has been newly added through amendments appended with these rules.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

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*These rules have been first published in Rajasthan Raj-patra, dated May 16, 1955 in Part IV (c) at page 117.*

- (a) "Act" means the Special Marriage Act, 1954 (XLIII of 1954);
- (b) "section" means a section of the Act, and
- (c) "form" means a form appended to these rules.

3. *Marriage Notice Book*.—(1) There shall be maintained by each Marriage Officer a bound volume of blank forms of notices (with intervening blank leaves between two printed forms), known as the Marriage Notice Book, containing 200 pages numbered consecutively, in which a true copy of all notices of intended marriages shall be entered as required by sub-section (1) of section 6.

(2) The copies of notices entered in the Marriage Notice Book shall be numbered consecutively, terminating the series at the close of each year.

#### Notes

The parties to the intended marriage under the Act are required to be given notice as required under section 5 of the Act. Sub-section (1) of section 6 provides that, (1) The Marriage Officer shall keep all notices given under section 5 with the records of his office and shall also forthwith enter a true copy of every such notice in a book prescribed for that purpose, to be called the Marriage Notice Book, and such book shall be open for inspection at all reasonable times without fee, by any person desirous of inspecting the same.

The rule prescribes the Marriage notice book referred to in the said sub-section.

4. *Paste Books for notices and declarations*.—Separate Paste Books, each bearing 200 butts serially numbered, shall be opened for pasting the originals of notices and declarations under sections 5 and 11.

5. *Marriage Certificate Book*.—There shall be two separate bound Marriage Certificate Books under sections 13 and 16, each containing 100 consecutively numbered blank forms prescribed by the Fourth and Fifth Schedules to the Act respectively.

#### Notes

Section 11 of the Act requires declaration by parties and witnesses before the solemnization of marriage. Section 5 requires notice of intended Marriage. The paste books under this rule shall contain both these in original. The Marriage Certificate Book mentioned in this rule has been prescribed in accordance with the provisions of sub-section (1) of section 13 and section 16 of the Act.

6. *Entries in Marriage Certificate Books*.—The entries made in the Marriage Certificate Books shall be numbered serially in the respective books, terminating the series at the close of each year.

7. *Numbering of Books*.—All books maintained by the Marriage Officer shall be numbered consecutively, without terminating the series at the end of the year. The Marriage Officer shall endorse a certificate of the correctness of the pages on the front page, before he uses any book.

8. *Forwarding a copy of the notice under section 6 (3)*.—The copy of the notice of intended marriage, required to be transmitted

to other Marriage Officers under sub-section (3) of section 6, shall be forwarded by the Marriage Officer as far as possible on the day of receipt of such notice but in any case not later than the day following the day of receipt.

9. *Pasting of notices and declarations in the Paste Book.*—(1) The notices received under section 5 shall be pasted in original in the Paste Book opened under rule 4 after entering their copies in the Marriage Notice Book in accordance with rule 3.

(2) A copy of the notice received under sub-section (3) of section 6 shall be pasted on the next available page of the Paste Book.

(3) The declarations made under section 11 shall be pasted in a separate Paste Book opened under rule 4.

10. *Recording of objections in Marriage Notice Books.*—(1) When an objection to an intended marriage has been recorded in writing by the Marriage Officer in the Marriage Notice Book under sub-section (3) of section 7, he shall, after inquiry thereinto under sub-section (1) of section 8, record his decision in the said Book in brief below the entry relating to such objection.

(2) If an appeal is preferred from the decision of the Marriage Officer under sub-section (2) of section 8, the decision of the district court on such appeal shall be recorded in brief in the Marriage Notice Book below decision of the Marriage Officer recorded under sub-rule (1).

#### Notes

Section 7 of the Act deals with objections to marriage, a notice of which is given under section 5. Section 8 of the Act prescribes the procedure for decision of such objections and the appeals against the same. The entries regarding these objections and decisions are to be recorded in the Marriage Notice Book referred to in rule 3.

11. *Application for registration of marriage celebrated in other forms.*—The application made under section 15 shall be in Form No. 1, or as near thereto as circumstances permit.

The rule prescribes the application form for the registration of Marriage under section 15 of the Act.

11A. *Proof of age.*—The Marriage Officer may, for the purpose of satisfying himself that the parties to the intended marriage have completed the age specified in section 4 (c), require them to produce birth certificate or any other satisfactory evidence to prove their age.

#### Notes

This rule has been added by subsequent amendments appended to these rules. The rule requires the proof of age requisite under section 4 (c) of the Act. The completion of the age of 21 years by the male and the age of 18 years by the female is one of the conditions precedent to the solemnization of special marriage.

12. *Public notice under section 16.*—The public notice required under section 16 shall be given by publishing a copy of the application under section 15 in a conspicuous place in the office of the

Marriage Officer and such publication shall be done immediately on receipt of the application in the prescribed form.

Notes

The rule prescribes the procedure for public notice to be given upon receipt of an application for registration under section 15 of the Act.

13. *How notice under section 5 may be sent to the Marriage Officer.*—(1) A notice under section 5 of an intended marriage may be sent to the Marriage Officer by messenger or by registered post, or may be delivered to him personally, together with the fees prescribed under rule 17.

(2) No notice shall be entered and published unless the fees prescribed by rule 17 are received.

14. *Solemnisation or registration of marriage at a place, other than the office of the Marriage Officer.*—(1) When the marriage is to be solemnized or registered at a place other than the office of the Marriage Officer, the Marriage Officer shall attend at the place for the purpose, on the written application of the parties, provided the fees prescribed for the purpose by rule 17 have been paid.

(2) (a) The Marriage Officer shall not remain absent from his office for more than 3 hours, when the marriage is to be solemnized or to be registered at any place in the city or town where his office is located.

(b) The Marriage Officer shall not be required to go to a place more than 30 miles distant from his office for solemnizing or registering a marriage.

(c) The restrictions contained in clauses (a) and (b) (i) shall not preclude the Marriage Officer from visiting any place outside his headquarters but within his jurisdiction for the purpose of solemnising or registering a marriage, if the visit does not involve absence from his headquarters for more than 2 days at a time including the time required for the journey and no other marriage is fixed during his absence, and

(ii) shall not apply to any visits made out of office hours or on Sundays or other public holidays.

15. *Seal.*—The Marriage Officer shall affix his seal to all certified copies granted under the Act.

16. *Procedure for inquiries.*—In all inquiries to be made under the Act, the marriage Officer shall follow the procedure laid down in Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908).

Notes

Order XVIII of Civil Procedure Code provides procedure for hearing of suit and examination of witnesses. The same procedure is to be followed for hearing of the inquiries under this Act.

17. *Fees.*—The following fees shall be charged by Marriage Officers for the performance of the various duties under the Act:—



	Rs.as.p.
For entering a notice under section 6 ....	0-8-0
Additional fee for every copy of notice required to be sent under section 6 (3) ....	0-8-0
For an application under section 15 ....	1-0-0
For recording objection in writing under section 7 or 16 ....	1-0-0
For solemnization or registration of marriage at the office of the Marriage Officer ...	5-0-0
For solemnization or registration of marriage at a place, within a radius of five miles from the office of the Marriage Officer ...	15-0-0
For solemnization or registration of marriage at a place beyond the radius of five miles ....	30-0-0
For copy of applications made under section 15	1-0-0
For copy of declaration ...	
For copy of certificate of Marriage ...	
For copy of notice under section 5 ...	
Search fee, for searching the records maintained at the office of the Marriage Officer (except search of the Marriage Notice Book)—	
For the first year ...	0-8-0
For every additional year ...	0-4-0
	subject to a maximum fee of Rs. 2/-
For issue of commission ....	5-0-0
For every other application, which may be necessary under the Act ....	0-8-0

The fees shall be credited to the Government in full under the budget head "XLVI—Miscellaneous : Other fees, fines and forfeitures". The Marriage Officer may draw travelling allowance according to rules for journey performed in the course of duties discharged under the Act.

18. *Preservation of Books and papers.*—The books and papers listed below shall be prescribed for the periods specified against them—

1. Marriage Certificate Book under section 13 ....	Permanent
2. Marriage Certificate Book under section 16 ....	Permanent
3. Paste Book of declarations ....	Permanent
4. Marriage Notice Book ....	30 years.
5. Paste Book for notices ....	30 years.
6. Applications received under section 15 ...	30 years.
7. Enquiry papers ...	30 years.
8. Applications for private attendance ....	5 years.
9. Applications for certified copy ....	5 years.
10. Applications for issue of commission ...	5 years.

- |   |      |      |          |
|---|------|------|----------|
| 11. Office copies of commissions issued | .... | .... | 5 years. |
| 12. Applications for summonses          | .... | .... | 5 years. |
| 13. Office copies of summonses          | .... | .... | 1 year.  |

19. *Repeal.*—Notification No. F. 2 (147) GA (A) 52 dated the 3rd. October, 1952 of the Government of Rajasthan in the General Administration (A) Department prescribing the fees for performance of duties by Marriage Officer is hereby superseded.

### FORM No. 1

(See rule 11)

### Form of application for registration of a marriage celebrated under other forms.

To

THE MARRIAGE OFFICER

FOR THE DISTRICT OF.....

Having fulfilled the following conditions, we AB CD hereby apply to you for the registration of our marriage under section 15 of the Special Marriage Act, 1954 (43 of 1954):—

(a) A ceremony of marriage has been performed between us, on and we are living together as husband and wife ever since.

(b) Neither of us has more than one spouse living.

(c) Neither of us is an idiot or lunatic.

(d) We have completed the age of 21 years.

(e) We are not within the degrees of prohibited relationship.

(f) We are residing as (place).....from (date).....

We hereby declare that what is stated above is true to the best of our knowledge and belief.

Date.....(Signed) A. B.

Place.....(Signed) C. D.

By Order of

His Highness the Rajpramukh,  
P. D. LOIWAL,

Secretary to the Government.

# Special Marriage Rules (High Court), 1955.

*Jodhpur, June 1, 1955.*

No. 16/S.R.O.—In exercise of the powers conferred by section 41 of the Special Marriage Act, 1954. (Act XLIII of 1954), the Hon'ble the Chief Justice and Judges are pleased to make the following Rules for carrying out the provisions of Chapters V, VI and VII of the Act.

## *Notes*

The Hon'ble Chief Justice and Judges of High Court have framed these rules for carrying out the provisions of Chapters V, VI and VII of the Act relating to constitution of conjugal rights and judicial separation, nullity of marriage and divorce, and jurisdiction and procedure. The enabling section 41 of the Act reads as under:—

(1) The High Court shall, by notification in the Official Gazette, make such rules consistent with the provisions contained in this Act and the Code of Civil Procedure, 1908 (Act V of 1908), as it may consider expedient for the purpose of carrying into effect the provisions of Chapters V, VI and VII.

(2) In particular, and without prejudice to the generality of the foregoing provision, such rules shall provide for—

(a) the impleading by the petitioner of the adulterer as a co-respondent on a petition for divorce on the ground of adultery, and the circumstances in which the petitioner may be excused from doing so;

(b) the awarding of damages against any such co-respondent;

(c) the intervention in any proceeding under Chapter V or Chapter VI by any person not already a party thereto;

(d) the form and contents of petitions for nullity of marriage or for divorce and the payment of costs incurred by parties to such petitions; and

(e) any other matter for which no provision or no sufficient provision is made in this Act, and for which provision is made in the Indian Divorce Act, 1869, (IV of 1869).

1. *Short title and commencement.*—(i) These Rules may be called the Special Marriage Rules, 1955.

(ii) The Rules shall come into force from the date of publication.

2. *Definitions.*—(i) 'Act' means the Special Marriage Act, 1954 (Act XLIII of 1954).

(ii) 'Code' means the Code of Civil Procedure, 1908.

(iii) 'Court' means the District Court.

3. *Petition.*—Every petition made under the Act, shall be accompanied by a certified copy of the certificate from the Marriage Certificate Book about the solemnization of the marriage under the Act.

## *Notes*

The marriage certificate book mentioned in this rule is required under sections 13 and 16 of the Act and has been prescribed under rule 5 of the Rajasthan Special Marriage Rules, 1955.

4. *Contents of petitions.*—(i) In addition to the particulars required to be given under Order VII, Rule 1, of the Civil Procedure

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*These rules have been first published in Rajasthan Raj-patra, dated July 16, 1955 in Part IV (c) at page 273.*

Code, every petition for judicial separation, nullity of marriage and divorce shall contain the following particulars:—

(a) The place and date of marriage;

(b) The name, status and domicile of the wife and husband before the marriage;

(c) The principal permanent address where the parties cohabited including the address where they last resided together;

(d) Whether there is living any issue of the marriage and if so, the names and dates of birth, or ages of such issues.

(e) Whether there have been in any Court in India, and if so, what previous proceedings with reference to the marriage by or on behalf of either of the parties and the result of such proceedings;

(f) The matrimonial offence charged, set out in separate paragraphs with the time and places of their alleged commission ;

(g) The claims for damages, if any, with particulars;

(h) If the petition is one for a decree of dissolution of marriage, or of nullity or annulment of marriage or for Judicial Separation, it shall further state that there is no collusion or connivance between the petitioner and the other parties to the marriage or alleged marriage;

(i) The relief or reliefs prayed for.

(ii) In every petition presented by a husband for divorce or judicial separation, on the ground that his wife has committed adultery with any person or persons the petitioner shall state the name, occupation and place of residence of such person or persons so far as they can be ascertained;

(iii) In every petition presented by a wife for divorce or Judicial separation, on the ground that her husband has committed adultery with any woman or women; the petitioner shall state the name, occupation and place of residence of such woman or women, so far as they can be ascertained.

#### Notes

Order VII Rule 1 of Code of Civil Procedure requires that the plaint shall contain the following particulars :—

(a) The name of the Court in which the suit is brought ;

(b) the name, description and place of residence of the plaintiff ;

(c) the name, description and place of residence of the defendant, so far as they can be ascertained ;

(d) where the plaintiff or the defendant is a minor or a person of unsound mind, a statement to that effect ;

(e) the facts constituting the cause of action and when it arose ;

(f) the facts showing that the Court has jurisdiction ;

(g) the relief which the plaintiff claims ;

(h) where the plaintiff has allowed a set-off or relinquished a portion of his claim, the amount so allowed or relinquished ; and

(i) a statement of the value of the subject-matter of the suit for the purposes of jurisdiction and of court-fees, so far as the case admits.

The petition under the Act shall, besides the particulars mentioned under the rule, contain these particulars also.

5. *Co-respondent in husband's petition.*—In any petition presented by a husband for divorce or Judicial separation on the ground that his wife has, since the solemnization of the marriage, been guilty of adultery, the petitioner shall make the alleged adulterer a co-respondent to the said petition, unless he is excused from so doing by an order of the Court which may be made on any one or more of the following grounds which shall be supported by an affidavit in respect of the relevant facts:—

(i) That the respondent is leading the life of a prostitute, and that the petitioner knows of no person with whom the adultery has been committed.

(ii) That the name of the alleged adulterer is unknown to the petitioner, although he has made due efforts for discovery;

(iii) That the alleged adulterer is dead;

(iv) For any other sufficient reason that the Court may deem fit to consider.

6. *Verification of petition.*—Statements contained in every petition shall be verified by the petitioner or some other competent person in a manner required by the Code of Civil Procedure for the time being in force for the verification of plaints.

7. *Forms of petitions.*—The petitions made under the Act, shall, so far as possible, be made in the forms prescribed in the Schedule to the Indian Divorce Act, 1869, (IV of 1869).

*Notes*—The Schedule to the Indian Divorce Act is appended with these rules for guidance.

8. *Petitions on behalf of Lunatics.*—When a husband or a wife is a lunatic or an idiot, any petition under the Act, other than the petition for restitution of conjugal rights, may be brought, on his or her behalf, by the person entitled to his or her custody.

9. *Petitions by minors.*—(1) Where the petitioner is a minor, he or she shall sue by his or her next friend to be approved by the Court; and no petition presented by a minor under the Act shall be filed until the next friend has undertaken in writing to be answerable for costs.

Such undertaking shall be filed in Court, and the next friend shall thereupon be liable in the same manner and to the same extent as if he were a plaintiff in an ordinary suit.

(2) The next friend shall file an affidavit along with the petition which shall state the age of the minor, that the next friend has no adverse interest to that of the minor and that the next friend is otherwise a fit and proper person to act as such.

(3) The Court may be on considering the affidavit and such other material as it may require, record its approval to the repre-

sentation of the minor by the next friend or pass such other orders as it may deem fit.

10. *Notice.*—The Court shall issue notice to the respondent and co-respondent, if any. The notice shall be accompanied, unless otherwise directed by the Court, by a certified copy of the petition. The notice shall also require, unless the Court otherwise directs, the respondent or co-respondent to file his or her statement in court within a period of four weeks from the service of the notice and to serve a copy thereof upon each of the other parties to the petition, within the aforesaid period.

11. *Service of petitions.*—Every petition and notice under the Act shall be served on the party affected thereby in a manner provided for service of summons under Order V of the Civil Procedure Code:

Provided that the Court may dispense with such service altogether in case it seems necessary or expedient so to do.

12. *Written statements in answers to petitions by respondents.*—The respondent may and, if so, required by the Court, shall present a written statement in answer to the petition. The provisions of Order VIII of the Code shall apply *mutatis mutandis* to such written statements. In particular, if in any proceedings for divorce the respondent opposes the relief sought in the petition on the ground of the petitioner's adultery, cruelty or desertion, the written statement shall state the particulars of such adultery, cruelty or desertion as required in the case of petition under clauses (d), (e) and (f) of sub-rule (i) Rule 4 and sub-rule (ii) and (iii) of the same rule and the particulars of any relief which he claims on the said grounds.

#### Notes

Order VIII of the Civil Procedure Code provides the procedure for written statements on behalf of the defendant. The same procedure shall apply in case of written statements for the purposes of this Act.

13. *Interveners in wife's petition.*—(1) Unless the Court for good cause shown otherwise directs:—

(a) Where the husband is charged with adultery with a named female person a certified copy of pleading or material portion thereof containing such charge shall be served upon the person with whom adultery is alleged to have been committed, accompanied by a notice that such person is entitled within the time therein specified to apply for leave to intervene in the cause.

(b) Where the written statement of the respondent alleges adultery by the petitioner with a named man or woman as the case may be, a certified copy of such statement or such material portion thereof containing such allegation shall be served on such man or woman, accompanied by a notice that such person is entitled within the time therein specified to apply for leave to intervene in the cause.

2. (a) *Costs regarding intervention.*—Whenever the court that an intervener has no sufficient grounds for intervening, it may order the intervener to pay the whole or any part of the costs occasioned by the application to intervene.

(b) Whenever the court finds that the charge or allegation of fraud against the intervener made in any petition or written statement is baseless or not proved and that the intervention is refused, it may order the person making such charge or allegation against the intervener to pay to the intervener the whole, or any part of the costs of intervention.

14. *Answer.*—A person to whom leave to intervene has been granted may file in the Court an answer to the petition or written statement containing the charges or allegations against such intervener.

15. *Intervention by third party.*—During the progress of the petition under Chapter V or VI of the Act, any person suspecting that any parties to the petition are or have been acting in collusion, or that the petitioner has committed fraud or he has concealed some material facts from the Court for the purpose of obtaining the decree prayed for, shall be at liberty to apply to the Court stating the circumstances and facts of such collusion, fraud and concealment, and the case may be. The application shall be supported by an affidavit. When such application is filed, the Court shall give notice thereof to the parties concerned and after hearing them and taking necessary evidence pass the necessary orders:—

(i) If the Court comes to the conclusion that such collusion, fraud or concealment of material fact is proved, then the original petition shall be dismissed and the intervening third party shall be awarded his costs from the parties, guilty of such collusion, fraud or concealment of facts.

(ii) Whenever such application is made and the Court comes to the conclusion that the intervening third party had no grounds or no sufficient grounds for intervening, it may order him to pay the whole or any part of the costs occasioned by his intervention.

16. *Competence of husband and wife to give evidence as to cruelty or desertion or Judicial separation.*—On any petition presented by a wife, praying for divorce or Judicial separation by reason of her husband having been guilty of adultery coupled with cruelty or of adultery coupled with desertion without reasonable excuse, the husband and wife respectively shall be competent and compellable to give evidence of or relating to such cruelty or desertion.

17. *Mode of taking evidence.*—The witnesses in all proceedings before the Court, where their attendance can be had, shall be examined orally, and any party may offer himself, or herself as a witness, and shall be examined, and may be cross-examined and re-examined like any other witness :

Provided that the parties shall be at liberty to verify their respective cases in whole or in part by affidavit, but so that the deponent in every such affidavit shall, on the petition of the opposite be subject to be cross-examined Court, party, or by direction of the by or on behalf of the opposite party orally, and after such cross-examination may be re-examined orally as aforesaid by or on behalf of the party by whom such affidavit was filed.

18. *Damages*.—Any husband may, either in a petition for Divorce or Judicial separation, claim damages from any person on the ground of his having committed adultery with the wife of such petitioner:—

(i) Such petition shall be served on the alleged adulterer and the wife unless the Court dispenses with such service in accordance with the provisions of Rule No. 11.

(ii) The damages to be recovered on any such petition shall be ascertained by the said Court, although the respondent or either of them may not appear. After the decision has been given, the Court may direct in what manner the damages shall be paid or applied.

19. *Costs*.—Whenever in any petition presented by a husband the alleged adulterer has been made a co-respondent and the adultery has been established, the Court may order the co-respondent to pay the whole or any part of the costs of the proceeding :

Provided that the co-respondent shall not be ordered to pay the petitioner's costs:—

(i) If the respondent was, at the time of the adultery living apart from her husband and leading the life of a prostitute; or,

(ii) if the co-respondent had not, at the time of adultery reason to believe the respondent to be a married woman.

20. *Taxation of Costs*.—Unless otherwise directed by the Court, the costs of the petition under the Act shall be costs as taxed in suits under the Indian Divorces Act, IV of 1869.

21. *Order as to costs*.—The award of costs shall be within discretion of the Court and the Court shall make an order about the same while passing the decree.

22. *Power to adjourn*.—The Court may from time to time adjourn the hearing of any petition under the Act, and may require further evidence thereon if it seems fit so to do.

23. *Transmission of certified copy of the Decree*.—The Court shall send a certified copy of every decree for divorce or nullity or dissolution of marriage to the marriage Officer appointed under Section 3 of the Act.

Their Lordships are further pleased to direct that a new Chapter XXXIV-A be inserted, after Chapter XXXIV in the Rajasthan High Court Rules, containing the above Rules.



## SCHEDULE OF FORMS

## No. 1—PETITION BY HUSBAND FOR A DISSOLUTION OF MARRIAGE WITH DAMAGES AGAINST CO-RESPONDENT BY REASON OF ADULTERY

(See sections 10 and 34)

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of

The day of

The petition of A. B., of

SHEWETH,

1. That your petitioner was on the day of , one thousand nine hundred and , lawfully married to C. B., the C. D., spinster, at

2. The from his said marriage, your petitioner lived and cohabited with his said wife at and at , in , and lastly at in , and that your petitioner and his said wife have had issue of their said marriage, *five* children, of whom *two* sons only survive, aged respectively *twelve* and *fourteen* years.

3. That during the *three* years immediately preceding the day of one thousand nine hundred and , X. Y. was constantly, with few exceptions, residing in the house of your petitioner at aforesaid, and that on divers occasions during the said period, the dates of which are unknown to your petitioner, the said C. B. in your petitioner's said house committed adultery with the said X. Y.

4. That no collusion or connivance exists between me and my said wife for the purpose of obtaining a dissolution of our said marriage or for any other purpose.

Your petitioner, therefore, prays that this (Hon'ble) Court will decree a dissolution of the said marriage, and that the said X. Y. do pay the sum of rupees 5,000 as damages by reason of his having committed adultery with your petitioner's said wife, such damages to be paid to your petitioner, or otherwise paid or applied as to this (Hon'ble) Court seems fit.

(Signed) A. B. I.

*Form of Verification*

I, A. B., the petitioner named in the above petition, do declare that what is stated therein is true to the best of my information and belief.

## No. 2.—RESPONDENT'S STATEMENT IN ANSWER TO No.1.

In the Court of

The day of

Between A. B., petitioner,  
C. B., respondent, and  
X. Y., co-respondent.

C. B., the respondent, by D. E., her attorney [or vakil], in answer to the petition of A. B., says that she denies that she has on divers or any occasions committed adultery with X. Y., as alleged in the third paragraph of the said petition.

Wherefore the respondent prays that this (Hon'ble) Court will reject the said petition.

(Signed) C. B.

## No. 3.—CO-RESPONDENT'S STATEMENT IN ANSWER TO NO.1

In the (High) Court of

The day of

Between A. B., petitioner,  
C. B., respondent, and  
X. Y., co-respondent.

X. Y., the co-respondent, in answer to the petition filed in this cause, saith that he denies that he committed adultery with the said C. B. as alleged in the said petition.

Wherefore the said X.Y. prays that this (Hon'ble) Court will reject the prayer of the said petitioner and order him to pay the costs of and incident to the said petition.

(Signed) X. Y.

#### No. 4.—PETITION FOR DECREE OF NULLITY OF MARRIAGE

(See section 18)

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of

The day

The petition of A. B., falsely called A. D.,

SHEWETH,

1. That on the day of , one thousand nine hundred and , your petitioner, then a spinster, eighteen years of age, was married in fact, though not in law, to C. D., then a bachelor of about thirty years of age, at [some place in India].

2. That from the said day of , one thousand nine hundred and , until the month of , one thousand nine hundred and , your petitioner lived and cohabited with the said C. D., at divers places and particularly at aforesaid.

3. That the said C. D. has never consummated the said pretended marriage by copulation.

4. That at the time of the celebration of your petitioner's said pre-tended marriage, the said C. D. was, by reason of his impotency or malformation, legally incompetent to enter into the contract of marriage.

5. That there is no collusion or connivance between her and the said C. D. with respect to the subject of this suit.

Your petitioner therefore prays that this (Hon'ble) Court will declare that the said marriage is null and void.

(Signed) A. B.

*Form of Verification : see No. 1*

#### No. 5.—PETITION BY WIFE FOR JUDICIAL SEPARATION ON THE GROUND OF HER HUSBAND'S ADULTERY

(See section 22)

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of

The day of

The petition of C. B., of , the wife of A. B.

SHEWETH,

1. That on the day of , one thousand nine hundred and , your petitioner, then C. D., was lawfully married to A. B. at the Church of , in the

2. That after her said marriage, your petitioner cohabited with the said A. B. at and at , and that your petitioner and her said husband have issue living of their said marriage, three children, to wit, etc. etc.

3. That on divers occasions in or about the months of August, September and October, one thousand nine hundred and , the said A. B., at aforesaid, committed adultery with E. F., who was then living in the service of the said A. B. and your petitioner at their said residence aforesaid.

4. That on divers occasions in the months of October, November and December, one thousand nine hundred and , the said A. B., at aforesaid, committed adultery with G. H., who was then living in the service of the said A. B., and your petitioner at their said residence aforesaid.

. That no collusion or connivance exists between your petitioner and the said vith respect to the subject of the present suit.

Your petitioner therefore prays that this (Hon'ble) Court will decree a judiciat tion to your petitioner from her said husband by reason of his aforesaid y.

(Signed)

C.B.

*Form of Verification : see No. 1*

No. 6.—STATEMENT IN ANSWER TO No. 5

In the (High) Court of

B. against B.

The day of

The respondent, A. B., by W. Y., his attorney [or vakil], saith,—

1. That he denies that he committed adultery with E. F., as in the third graph of petition alleged.

2. That the petitioner condoned the said adultery with E.F., if any.

3. That he denies that he committed adultery with G.H., as in the fourth agraph of the petition alleged.

4. That the petitioner condoned the said adultery with G. H., if any.

Wherefore this respondent prays that this (Hon'ble) Court will reject the yer of the said petitioner.

(Signed)

A.B.

No. 7.—STATEMENT IN REPLY TO No. 6

In the (High) Court of

B. against B.

The day of

The petitioner, C. B., by her attorney [or vakil], says,—

1. That she denies that she condoned the said adultery of the respondent with .F., as in the second paragraph of the statement in answer alleged.

2. That even if she had condoned the said adultery, the same has been evived by the subsequent adultery of the respondent with G.H., as set forth in the fourth paragraph of the petition.

(Signed)

C. B.

No. 8.—PETITION FOR A JUDICIAL SEPARATION  
BY REASON OF CRUELTY

( See section 22 )

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of ].

The

day of

The petition of A B. (wife of C. B.) of

SHEWETH,

1. That on the day of ,one thousand nine hundred and ,your petitioner, then A. D., spinster, was lawfully married to C. B., at

2. That from her said marriage, your petitioner lived and cohabited with her said husband at until the day of , one thousand nine hundred and , when your petitioner separated from her said husband as hereinafter more particularly mentioned and that your petitioner and her said husband have had no issue of their said marriage.

3. That from and shortly after your petitioner's said marriage, the said C. B. habitually conducted himself towards your petitioner with great harshness and cruelty, frequently abusing her in the coarset and most insulting language, and beating her with his fists, with a cane, or with some other weapon.

4. That on an evening in or about the month of one thousand nine hundred and ,the said C. B. in the highway and opposite to the house in witch your petitioner and the said C. B. were then residing at aforesaid,

endeavoured to knock your petitioner down, and was only prevented from so doing by the interference of *F. D.*, your petitioner's brother.

5. That subsequently on the same evening, the said *C. B.*, in his said house at aforesaid, struck your petitioner with his clenched fists a violent blow on her face.

6. That on one Friday night in the month of , one thousand nine hundred and , the said *C. B.*, in , without provocation threw a knife at your petitioner, thereby inflicting a severe wound on her right hand.

7. That on the afternoon of the day of , one thousand nine hundred and , your petitioner, by reason of the great and continued cruelty practised towards her by her said husband, with assistance withdrew from the house of her said husband to the house of her father at , that from and after the said day of , one thousand nine hundred and , your petitioner hath lived separate and apart from her said husband, and hath never returned to his house or to cohabitation with him.

8. That there is no collusion or connivance between your petitioner and her said husband with respect to the subject of the present suit.

Your petitioner therefore prays that this (Hon'ble) Court will decree a judicial separation between your petitioner and the said *C. B.*, and also order that the said *C. B.* do pay the costs of and incident to these proceedings.

(Signed)

*A. B.*

*Form of Verification: see No. 1*

#### No. 9.—STATEMENT IN ANSWER TO No. 8

In the (High) Court of

The day of

Between *A. B.*, petitioner, and *C. B.*, respondent.

*C. B.*, the respondent, in answer to the petition filed in this cause, by *W. J.*, his attorney [or vakil], saith that he denies that he has been guilty of cruelty towards the said *A. B.*, as alleged in the said petition.

(Signed)

*C. B.*

#### No. 10—PETITION FOR REVERSAL OF DECREE OF SEPARATION ( See section 24 )

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of ]  
The day of

The petition of *A. B.*, of

SHEWETH,

1. That your petitioner was on the day of , lawfully married to

2. That on the day of , this (Hon'ble) Court, at the petition of , pronounced a decree affecting the petitioner to the effect following, to wit—

[ Here set out the decree ]

3. That such decree was obtained in the absence of your petitioner, who was then residing at

[ State facts tending to show that the petitioner did not know of the proceedings; and further, that had he known he might have offered a sufficient defence ]

or

That there was reasonable ground for your petitioner leaving his said wife or that his said wife

(Here state any legal grounds justifying the petitioner's separation from his wife.)

Your petitioner, therefore, prays that this (Hon'ble) Court will reverse the said decree.

(Signed) *A. B.*

*Form of Verification : see No. 1*

No. 11.—PETITION FOR PROTECTION ORDER  
(*See section 27*)

In the (High) Court of

To the Hon'ble Mr. Justice

[or To the Judge of

The day of

The petition of C. B., of  
the wife of A. B.

SHEWETH,

That on the day of she was lawfully married to A. B. at

That she lived and cohabited with the said A. B. for years at ,  
and also at , and had had children, issue of her said marriage, of whom  
are now living with the applicant, and wholly dependent upon her earnings.

That on or about , the said A. B., without any reasonable cause,  
deserted the applicant, and hath ever since remained separate and apart from her.

That since the desertion of her said husband, the applicant hath maintained  
herself by her own industry [or on her own property, *[as the case may be]* and hath  
thereby and otherwise acquired certain property consisting of *[here state generally  
the nature of the property]*.

Wherefore she prays an order for the protection of her earnings and property  
acquired since the said day of from the said A. B., and from all  
creditors and persons claiming under him.

(Signed) C. B.

No. 12.—PETITION FOR ALIMONY PENDING THE SUIT  
(*See section 36*)

In the (High) Court of

B. against B.

To the Hon'ble Mr. Justice

[or To the Judge of

The day of

The petition of C. B., the lawful wife of A. B.

SHEWTEH,

1. That the said A. B., has for some years carried on the business of ,  
at , and from such business derives the net annual income of form Rs. 4,000  
to 5,000.

2. That the said A. B. is possessed of plate, furniture, linen and other effects  
at his said house aforesaid, all of which he acquired in right of your petitioner  
as his wife, or purchased with money he acquired through her, of the value of Rs. 10,000.

3. That the said A. B. is entitled, under the will of his father, subject to the  
life-interest of his mother therein, to the property of the value of Rs. 5,000 or some  
other considerable amount.

Your petitioner, therefore, prays that this (Hon'ble) Court will decree such sum  
or sums of money by way of alimony pending the suit, as to this (Hon'ble) Court  
may seem meet.

(Signed) C. B.

*Form of Verification : see No. 1*

No. 13.—STATEMENT IN ANSWER TO No. 12

In the (High) Court of

B. against B.

A. B., of

, the above-named  
respondent, in answer to the petition  
for alimony, pending the suit of  
C. B., says—

In answer to the first paragraph of the said petition, I say that I have for the  
last three years carried on the business of at  
, and that, from such business, I have derived a net annual income of Rs.  
900, but less than Rs. 1,000.

2. In answer to the second paragraph of the said petition, I say that I am possessed of plate, furniture, linen and other chattels and effects at my said house aforesaid, of the value of Rs. 7,000, but as I verily believe of no larger value. And I say that a portion of the said plate, furniture and other chattels and effects of the value of Rs. 1,500, belonged to my said wife before our marriage, but the remaining portions thereof I have since purchased with my own moneys. And I say that, save as hereinbefore set forth, I am not possessed of the plate and other effects as alleged in the said paragraph in the said petition, and that I did not acquire the same as in the said petition also mentioned.

3. I admit that I am entitled under the will of my father, subject to the life-interest of my mother therein, to property of the value of Rs. 5,000, that is to say, I shall be entitled under my said father's will, upon the death of my mother, to a legacy of Rs. 7,000, out of which I shall have to pay to my father's executors the sum of Rs. 2,000, the amount of a debt owing by me to his estate, and upon which debt I am now paying interest at the rate of five per cent. per annum.

4. And, in further answer to the said petition, I say that I have no income whatever except that derived from my aforesaid business, that such income, since my said wife left me, which she did on the                      day of                      last, has been considerably diminished, and that such diminution is likely to continue. And I say that out of my said income, I have to pay the annual sum of Rs. 100 for such interest as aforesaid to my late father's executors, and also to support myself and my two eldest children.

5. And, in further answer to the said petition, I say that, when my wife left my dwelling-house on the                      day on                      last, she took with her, and has ever since withheld and still withholds from me, plate, watches and other effects in the second paragraph of this my answer mentioned, of the value of, as I verily believe, Rs. 800 at the least; and I also say that, within five days of her departure from my house as aforesaid, my said wife received bills due to me from certain lodgers of mine, amounting in the aggregate to Rs.

and that she has ever since withheld from me the same sum.

(Signed) A. B.

No. 14—UNDERTAKING BY MINOR'S NEXT FRIEND TO BE  
ANSWERABLE FOR RESPONDENT'S COSTS

(See section 49)

In the (High) Court of

I, the undersigned, A. B., of                      , being the next friend of C. D., who is a minor and who is desirous of filing a petition in this Court, under the Indian Divorce Act, against D. D. of                      , hereby undertake to be responsible for the costs of the said D. D. in such suit, and that, if the said D. D. fail to pay to the D. D. when and in such manner as the Court shall order all such costs of such suit the Court shall direct him (or her) to pay to the said D. D., I will forthwith pay the same to the proper officer of this Court.

Dated this

day of

(Signed) A. B.

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*Rules and Notifications under*  
STAMP ACT, 1899.  
( CENTRAL ACT No. 2 OF 1899 ).

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# The Rajasthan Stamp Rules, 1955.

(Authorised Translation in English Language).

## SEPARATE REVENUE DEPARTMENT NOTIFICATION

Jaipur, February 15, 1955.

No. F. 49 (4) SR/53.—In exercise of the powers conferred by Indian Stamp Act, 1898, as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952), the Government of Rajasthan is pleased to make the following Rules, namely:—

### Chapter I.

#### *Introductory.*

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Stamp Rules, 1955.

#### NOTES.

Indian Stamp Act (Act II of 1899) has been adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952. Section 75 of the Indian Stamp Act, 1899 authorises the State Government to make rules for carrying out generally the purposes of the Act. The present rules have been framed on the authority of this rule-making power and other sections of the Act whereby different matters are required to be prescribed by rules.

(2) They extend to the whole of Rajasthan.

(3) They shall come into force on the date of their first publication in the Rajasthan Gazette.

2. *Interpretation.*—(1) In these rules unless there be something repugnant in the subject or context,—

(a) “Act” means the Indian Stamp Act, 1899, as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952);

(b) “appendix,” means an appendix to these rules;

(c) “form” means a form appended to these rules;

(d) “Government” means the Government of the State of Rajasthan;

(e) “High Court” means the High Court of Judicature for Rajasthan;

(f) “section” means a section of the Act;

(g) “schedule” means the second Schedule to the Act and includes a schedule, table or other provision of the laws of the covenanting States prescribing the rates of stamp duty in respect of bills of exchange, cheque promissory notes, bills of lading, letters of credit, policies insurance, transfers of shares, debentures proxies and receipts;

(h) “State” means the State of Rajasthan; and

(i) “Superintendent of Stamps” means the Superintendent of Stamps for Rajasthan and includes any other officer appo-



inted by the Government to perform the functions of the Superintendent of Stamps for the purposes of the Act and these rules

(2) The provisions of the General Clauses Act, 1897, of the Central Legislature shall apply to the interpretation of these Rules in the same manner as they apply to the interpretation of a Central Act.

#### NOTES.

"B-of stamps and made of using them." Sub section (1) of section 10 of the Act requires that all duties with which any instruments are chargeable shall be paid and such payments shall be indicated on such instruments by means of stamps.

(a) according to the provisions herein contained; or,

(b) when no such provision is applicable thereto-as the State Government may by rule direct.

Sub-section (2) of section 10 of the Act provides that the rules made under sub-section (1) may among other matters regulate,—

(a) in the case of each kind of instrument—the description of stamps which may be used;

(b) in the case of instruments stamped with impressed stamps—the number of stamps which may be used;

(c) in the case of bills of exchange or promissory notes \* \* \*—the size of the paper on which they are written.

The rules contained in chapter II, III and IV of these rules have been framed for putting into effect the requirements of section 10 of the Act.

### CHAPTER II

#### *Mode of payment of duty and Kinds of Stamps.*

3. *Mode of payment of duty.*—Except as otherwise provided by the Act, or by these Rules—

(1) all duties with which any instrument is chargeable shall be paid, and such payment shall be indicated on such instrument, by means of stamps issued by the Government for the purposes of the Act and these rules, and

(2) a stamp which by any word or words on the face of it is appropriated to any particular kind of instrument shall not be used for an instrument of any other kind.

*Explanation.*—For the purposes of clause (1), a stamp of the Central Government or of the Government of any covenanting State shall be deemed to have been superimposed with the word 'Rajasthan' or with the letters "RAJ."

4. *Kinds of stamps.*—(1) There shall be two kinds of stamps for indicating the payment of duty with which instruments are chargeable, namely:—

(i) impressed stamps superimposed with the word 'Rajasthan'; and

(ii) adhesive stamps superimposed with the word "Rajasthan" or with the letters "RAJ".

(2) No impressed or adhesive stamp which is not superimposed as aforesaid shall be used in Rajasthan, after the commencement of these Rules, to indicate the payment of duty chargeable on any instrument.

## CHAPTER III.

## Impressed Stamps.

5. *Hundis*.—(1) Hundis, other than hundis which may be stamped with an adhesive stamp under section 11, shall be written on paper as follows, namely:—

(a) A hundi payable otherwise than on demand, but not at more than one year after date or sight, and for an amount not exceeding rupees thirty thousand in value, shall be written on paper on which a stamp of the proper value bearing the word “hundi” has been engraved or embossed.

(b) A hundi for an amount exceeding rupees thirty thousand in value, or payable at more than one year after date or sight shall be written on paper supplied for sale by the Government, to which a label has been affixed by the Superintendent of Stamps and impressed by him in the manner prescribed by rule 11.

(2) The provisions of sub-rule (1) of 8 apply in the case of hundis.

6. *Promissory note and bills of exchange*.—A promissory note or bill of exchange shall except as provided by section 11 or by rules 14 and 19 be written on paper on which a stamp of the proper value, with or without the word “hundi”, has been engraved or embossed.

7. *Other instruments*—Every other instrument chargeable with duty shall except as provided by section 11 or by rules 11, 13 and 14, be written on paper on which a stamp of the proper value not bearing the word “hundi” has been engraved or embossed.

8. *Provision where single sheet of paper is insufficient*.—(1) Where two or more sheets of paper on which stamps are engraved or embossed are used to make up the amount of duty chargeable in respect of any instrument a portion of such instrument shall be written on each sheet so used.

(2) Where a single sheet of paper, not being paper bearing an impressed hundi stamp is insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much pie paper may be sub-joined thereto as may be necessary for the complete writing of such instrument:

Provided that in every such case a substantial part of the instrument shall be written on the sheet which bears the stamp before any part is written on the pie paper sub-joined.

9. *One anna and two annas impressed stamps*.—The duty on any instrument which is chargeable with a duty of Ten naya Paisa or fifteen naya paisa, unless otherwise provided in the Act or these rules, may be denoted by a coloured impression marked on a skeleton form of such instrument be the Superintendent of Stamps.

10. *The proper officer*—[Every Treasury Officer] is empowered to affix and impress or perforate labels and shall be deemed

to be "the proper officer" for the purposes of the Act and of these rules.

#### Notes

words "Every Treasury Officer" in rule 10 have been substituted for the words "The Superintendent of Stamps" vide Excise and Taxation Department Notification No. F. 2 (37) E&T/56 dated August 12, 1960, published in Rajasthan Raj-patra, part iv (c) dated September 1, 1960.

11. *Affixing and impressing of lables by proper officer permissible in certain cases.*—Lables may be affixed and impressed or perforated by the proper officer in the case of any of the instruments specified in the Appendix to these Rules, and the counterparts thereof other than instruments on which the duty is less than Fifteen Naya Paise.

12. *Mode of affixing and impressing lables.*—(1) The proper officer shall, upon any instrument specified in rule 11 being brought to him before it is executed, and upon application being made to him affix thereto lable or lables of such value as the applicant may require and pay for, and impress or perforate such label or labels by means of a stamping machine, or perforating machine and also stamp or write on the face of the label or labels the date of impressing or perforating the same. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets

(2) On affixing any lable or lables under this rule the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and, where the duty amounts to rupees twenty or upwards, shall also attach his usual signature to the instrument immediately under the label or labels.

13. *Certain instruments to be stamped with impressed labels:*—(1) Instruments executed out of the State and requiring to be stamped after their receipt in the State (other than instruments which under section 11 or rule 14 may be stamped with adhesive stamps) shall be stamped with impressed labels.

(2) Where any such instruments as aforesaid is taken to the Collector under section 18, sub-section (2), the Collector, unless he is himself the proper officer, shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof, and the proper officer shall stamp the instruments in the manner prescribed by rule 12 and return it to the Collector of delivery to the person by whom it was produced.

### CHAPTER IV.

#### Of Adhesive Stamps.

14. *Use of adhesive stamps on certain documents.*—The following instruments may be stamped with adhesive stamps, namely:—

(a) Bills of exchange payable otherwise than on demand and drawn in sets when the amount of duty does not exceed one anna for each part of the set;

(b) Transfers of debentures of public companies and associations;

(c) Copies of maps and plans, printed copies and copies of or extracts from registers given on printed form when chargeable with duty under Article 24 of the Second Schedule;

(d) Instruments chargeable with duty under Articles 5 (a) and (b) and 43 of the Second Schedule;

(e) Instruments chargeable with duty under Article 19 of the Second Schedule;

(f) Policies of insurance;

(g) Letters of Credit, that is to say, instruments by which one person authorises another to give credit to the person in whose favour they are drawn;

(h) Letters of allotment of shares in any company or proposed company or in respect of any loan to be raised by any company or proposed company;

(i) Promissory notes payable on demand when the amount or value exceeds Rs. 250/-;

(j) Instruments or proxy.

#### Notes

Section 11 of the Act provides that the following instruments may be stamped with adhesive stamps. namely—

(a) instruments chargeable with a duty not exceeding ten naye paise except parts of bills of exchange payable otherwise than on demand and drawn in sets ;

(b) bills of exchange, and promissory notes drawn or made out of India ;

(c) entry as an advocate, vakil or attorney on the roll of a High Court;

(d) notarial acts; and

(e) transfers by endorsement of shares in any incorporated company or other body corporate.

Rule 14 contains a further list of instruments that may be stamped with adhesive stamps.

*15. Use of Ten Naya Paisa adhesive stamps to make up stamp duty.*—Notwithstanding anything contained in these rules whenever the stamp duty payable in respect of any instrument cannot be paid exactly by reason of the fact that the necessary stamps are not in circulation, the amount by which the payment of duty shall on that account be in defect shall be made up by the affixing of one anna adhesive stamps such as are described in rule 18; provided that the Government may direct that, instead of such stamps, adhesive Court Fee Stamps shall be used for the purpose.

*16. Supply of deficient duty on transfer of share.*—When any instrument of transfer of shares in a company or association is written on a sheet of paper on which a stamp of the proper value is engraved or embossed and the value of the stamp so engraved or embossed is subsequently in consequence of a rise in the value of such shares found to fall short of the amount of duty chargeable in respect of such transfer, one or more adhesive stamps bearing the words "Share Transfer" may be used to make up the amount required.

17. *Enrolment of Advocates or Vakil.*—When adhesive stamps are used to indicate the duty chargeable on entry as an Advocate or Vakil on the roll of the High Court, such stamps shall be affixed under the superintendence of a gazetted officer of the High Court who shall obtain the stamps from the Superintendent of Stamps or other officer appointed in this behalf by the Government and account to him for it. Such gazetted officer shall, after affixing the stamp, write on the face of it his usual signature with the date thereof.

18. *Adhesive stamps of different denominations.*—Except as otherwise provided by these rules, the adhesive stamps used to denote duty shall be the requisite number of stamps bearing the words 'Twenty-five Naye paise or Fifteen Naye Paise or Ten Naya Paisa' and inscribed for use for revenue.

19. *Special adhesive stamps to be used in certain cases.*—The following instruments when stamped with adhesive stamps shall be stamped with the following descriptions of such stamps, namely:—

(a) Bills of Exchange, cheques and promissory notes drawn or made out of India chargeable with duty of more than one anna, with stamps bearing the words "Foreign Bill";

(b) Separate instruments of transfers of shares and transfers of debentures of Public Companies and Associations; with stamps bearing the words "Share Transfer";

(c) Entry as an Advocate or Vakil on the roll of the High Court; with stamps bearing the word 'Advocate or Vakil' as the case may be;

(d) Notarial acts; with foreign bills stamps bearing the word "Notarial";

(e) Copies of maps or plans, printed copies and copies of extracts from registers given on printed forms certified to be true copies; with Court-fee stamps overprinted with the word 'copy';

(f) Instruments chargeable with stamps duty under Articles 5 (a) and (b) or 43 of the Second Schedule; with stamps bearing the words "Agreement" or "Brokers" Note" respectively;

(g) Policies of insurance; with stamps bearing the word 'Insurance'.

## CHAPTER V. Sale and Stamps

### Notes

Section 74 of the Act empowers the State Government to make rules for regulating—

- (a) the supply and sale of stamps and stamped papers,
- (b) the persons by whom alone such sale is to be conducted, and
- (c) the duties and remuneration of such persons :

Provided that such rules shall not restrict the sale of [ten naye paise or five naye paise] adhesive stamps.

The State Government has framed the rules contained in this Chapter in exercise of the powers conferred under section 74 of the Act. The rules in this part provide a detailed procedure for the regulation of matters referred to in section 74 of the Act.

2. *Only authorised persons to sell stamps.*—(1) No persons, who is not duly authorised in the manner hereinafter provided, shall be entitled to sell stamps of any description other than revenue stamps of half-anna, one anna, two annas, and four annas denominations:

Provided that this prohibition shall not apply—

- (i) to a legal practitioner or a banker, who buys a stock of stamps use in his own business and affixes them, when occasion requires, to the documents he has to draw up in the course of that business, the cost of the stamps being recovered from his client or customer with the rest of his charges, or
  - (ii) to a Government officer or Incorporated Company or other body corporate in respect of stamps used for printed forms of instruments for use by the persons concerned with the business of that office company or body, the cost of the stamp being recovered from those persons.
- (b) Except in the case of revenue stamp of half anna, one anna; two annas and four annas denominations no person shall purchase any stamp from, or exchange any stamp with, any person whom he has reason to believe to be not authorised under these rules to sell stamps.

21 *Classes of Vendors.*—(1) There shall be two classes of vendors, namely:—

- (a) ex-officio vendors, and
- (b) licensed vendors.

(2) The following persons shall be deemed to be ex-officio vendors:—

- (i) the treasurer of each District or his salaried assistant or approved agent;
- (ii) the sub-treasurers of each Tehsil.
- (iii) any salaried vendor appointed by the Government;
- (iv) all the officers incharge of post offices at which letters are received for despatch (for the sale of adhesive revenue stamps of half-anna, one anna, two annas and four annas denominations);
- (v) any other servants of the Government who may be appointed by the Government in this behalf.

(3) The Collector may, subject to the provisions contained in rule 58, grant a license for vend of stamps to any of the following persons, namely:—

- (i) sub post masters or branch post masters;
- (ii) Lambardars of villages;
- (iii) village school masters;
- (iv) any other person or class of persons deemed by the Collector to be fit and proper for the sale of stamps.

(4) In the case of appointment or branch or sub post masters and licensing of village school masters the previous approval of the Post Master General and the Director of Education respectively shall be obtained.

22. *Fixing maximum number of licensed vendors for different places.*—(1) The maximum number of licensed vendors for the sale of stamps at the headquarters of each district, sub-division and tehsil shall be fixed by the Collector of the district concerned in consultation with, and with the concurrence of, the Inspector General of Registration and Stamps, Rajasthan. In the case of towns and villages which are not such headquarters the number of licenses to be granted shall be fixed by the Collector.

(2) In fixing the number of stamps vendors for urban areas the views of the Chamber of Commerce, and for rural areas those of the Village Panchayat, should invariably be obtained.

23. *Duties of ex-officio vendors.*—(1) The ex-officio vendors shall apply stamps to the public and to licensed vendors, and shall allow discount to the latter at the rates and under the conditions hereinafter prescribed.

(2) The ex-officio vendors shall sell direct to the public only stamps of denominations higher than those prescribed in rule 24.

*Duties of licensed vendors.*—Licensed vendors shall sell to the public such stamps and at such places as are indicated in their licenses provided that such sale shall be restricted to the sale of stamps of the value not exceeding Rs. 100/-.

*Notes.*

Present rule 24 has been substituted for the previous one vide Excise and Taxation Department Notification No. F. 2 (11) E&T/61 dated October 7, 1961, published in Rajasthan Raj-patra, part iv (c) dated November 9, 1961.

Previously rule 24 stood as under:—

24. *Duties of licensed vendors*—Licensed vendors shall sell to the public such stamps and at such places as are indicated in their licenses. They shall be restricted to the sale of stamps of value as under:—

In all district Headquarters towns (except the cities of Jaipur, Jodhpur, Bikaner, Udaipur, Alwar, and Kotah) and headquarters towns of all sub divisions and tehsils—Not exceeding Rs. 50/-.

In the cities of Jaipur, Jodhpur, Bikaner, Udaipur, Alwar and Kotah—Not exceeding Rs. 30/-.

25. *Form of licence.*—The licence to be granted under sub-rule (3) of rule 21 shall be in form A. In the case of persons specified in clause (ii) and (iv) of sub rule (3) of rule 21 it shall be granted to the person by name. In other cases the designation of the official only shall be entered therein.

26. *Revocation of license.*—A license may be revoked at any time by the Chief Controlling Revenue Authority or by the Collector with the concurrence of the Inspector General of Registration and Stamps, Rajasthan.

27. *Method of supply of stamps to licensed vendors.*—Licensed vendors shall obtain stamps from ex-officio vendors at local and branch depots on payment of ready money (less the discount hereinafter prescribed):

Provided that the persons in the service of the Government may obtain stamps as an advance without payment in accordance with rule 28.

28. *Extent of supply without payment.*—A person in the service of the Government, on being licensed, may, without payment, rece-

an advance of stamps not exceeding in value one months pay or, with the special sanction of the Inspector General of Registration and Stamps, of greater value. He shall, on receiving such advance, give a receipt of the money value of the stamps advanced and the receipt shall be renewed halfyearly in the manner provided for permanent advances by the Accounts department. When he ceases, he shall refund the value entered in the receipt either in money or stamps of any kind which he has been authorised to sell, and the receipt shall then be returned.

29. *Advances to non-official vendors.*—(1) Advance of stamps without payment may be granted by the Collector to non-official licensed vendors upto any amount, subject to their giving security.

(2) Security for such advance shall be taken in forms approved by the Government.

(3) Such advance may at any time be called in by the Collector.

30. *Register of advances.*—(1) The advances shall be shown in a separate register in form B and every item entered in it shall be initialled by the Treasury officer.

(2) The Register shall be inspected every month when the Treasury plus and minus memorandum is prepared and the Treasury Officer shall see that the possessor has all the receipts duly renewed whenever necessary, and that the unadjusted advances are correctly included in the balances shown in the plus and minus memorandum in which details of such advances shall invariably be furnished.

31. *Discount.*—(1) Every licensed vendor who purchases stamps from the Government on payment of ready money shall be allowed discount on the supply of stamps purchased by him provided that no discount shall be payable when the total value of such purchases falls below five rupees or on purchases of revenue stamps of the denominations of five Naye Paise, Ten Naya Paisa, Fifteen Naye Paise and Twenty-five Naya Paise.

(2) The rates of discount per 100 are as follows:—

(a) For Non-judicial Stamps—

(i) In all district headquarters towns	Rs. 3-2-0
(ii) In all sub-division headquarters towns	Rs. 4-11-0
(iii) At other places	Rs. 6-4-0

(b) Judicial stamps for all headquarters Rs. 1-9-0

(3) Ex officio vendors shall receive no discount on purchases made or sales affected by them.

32. *Stamps of the denomination required to be supplied if possible.*—Upon application being made for an impressed sheet of a particular value, a sheet of that value shall, if in stock, be furnished to the applicant.

33. *Procedure when stamps of the required denomination are not in stock.*—(1) Should no sheet of the value required be in



stock, the vendor shall supply the applicant with the smallest number of sheets which he can furnish so as to make up the required value. In the case of a licensed vendor, the applicant shall not be supplied with sheets to an aggregate value exceeding the limit authorised under rule 24. If the impressed stamps required exceed this value a licensed vendor shall refer the applicant to an ex-officio vendor and shall not attempt to make up the stamp duty exceeding the said limit by the issue of two or more stamps of lower denominations.

(2) When a vendor is unable to furnish a single stamp of the value required by the purchaser he shall endorse on one of the stamps sold by him a certificate to that effect in the form below:—

#### FORM OF CERTIFICATE.

Certified that a single stamp of the value of Rs.... .....required for this document is not available but in lieu thereof I have furnished a stamp of the next lower value available and made up the deficiency by the use of one or more adhesive/impressed stamps of the next lower value available required to make up the exact amount of the duty.

34. *Particulars to be entered on the impressed sheet.*—Every stamp vendor shall endorse on the back of each sheet of impressed stamp and on the face of each adhesive stamp (except revenue stamps of the denomination of half anna, one anna, two annas and four annas) sold by him to the public, the serial number, the date of the sale, the value of the stamp in words and the name, father's name and residence of the purchaser, and shall affix his signature to the endorsement. At the same time he shall make corresponding entries in a register to be maintained by him under rule 36.

*notes*

In First sentence the words beginning with, "Every Stamp vendor", ..... and ending with, "to the public" have been substituted for the previous words, "Every Stamp vendor shall endorse on the back of each impressed stamp sold by him to the public" vide amending notification No. F. 16 (18) S. R./54 dated 6-6-1956, published in Rajasthan Rajpatra, part IV (c) dated 14-7-56.

35. *Signing of endorsements on the stamp and the entries in the register by the purchaser.*—If the purchaser is literate he shall be invited to sign the endorsement on the stamp and the entry in the register; and, if illiterate, the imprint of his left thumb impression shall be taken below the endorsement on the stamp as well as against the entry in the register.

36. *Register of sales.*—Every vendor shall keep a register of stamps sold to the public in the following form:—

Register of daily sales of stamps.

Serial No.	Date of sale.	Description of stamp (impressed or adhesive.)	Value of stamp sold in words.	Name and residence of purchaser.	Signature or thumb impression of the purchaser.	Signature of the licensed vendor.
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37. *Register how to be maintained and their deposit after completion.*—Each page of the register shall be numbered and sealed with the seal of the Collector's Office. The name of the vendor, the date on which the register is brought into use and the number of pages it contained shall be entered on the inside of the cover. On completion it shall be deposited in the Collector's Office. The use by a licensed vendor of a register not so distinguished is forbidden.

38. *Maintenance of register of daily transactions by licensed-vendors.*—Every licensed vendor shall also maintain a register of his daily transactions in form C.

39. *False endorsement or efacement prohibited.*—No vendor shall knowingly make a false endorsement or efacement on a stamp sold or a false entry in his register of sales.

40. *Over charge or delay prohibited.*—No vendor shall demand or accept for any stamp more than the actual value denoted thereon, and every vendor shall without delay deliver any stamp which he has in his possession for sale on demand by any person tendering the value in any currency which would be accepted on behalf of the Government by the Collector.

41. *Discontinued stamp not to be sold.*—No vendor shall sell any stamp the use of which has been ordered by competent authority to be discontinued.

42. *Accounts etc. to be open to inspection.*—Every vendor shall allow any revenue officer not below the rank of Naib Tehsildar or any official duly authorised in that behalf by the Collector or by the Government at any time to inspect his register of sales and to examine his license and the stock of stamps in his possession.

43. *Stamps to be delivered on demand by the collector or on revocation of license, etc.*—(1) Every licensed vendor shall at any time on demand or on revocation of his license deliver up all stamps or any class of stamps remaining in his possession, together with the registers which he was maintaining.

(2) When stamps are returned under sub rule (1) they shall be taken back on their full value, less any discount allowed under these rules and due to the licensed vendor in respect of sales of stamps effected by him.

44. *Signboards etc.*—(1) Every licensed vendor shall at all times keep affixed in a conspicuous position outside his place of vend a placard bearing his name and the words "Licensed vendor of stamps" in Hindi.

(2) He shall also keep at his place of vend his license and copies of the Act and its schedules together with these rules in English and in Hindi which shall be supplied to him free of charge. He shall permit any intending purchaser to inspect the Act, Schedules and Rules.

45. *Unsold stamps may be exchanged.*—A licensed vendor may be allowed to exchange unsold stamps which are fit for use for other stamps of the same value.

46. *Supply of revenue stamps to be kept.*—Every licensed vendor shall keep for sale to the public a supply of revenue stamps of the denominations of Five Naye Paise, Ten Naye Paise, Fifteen Naye Paise and Twenty-five Naye Paise sufficient for the probable demand of at least one week.

47. *Sale of stamps during office hours.*—Licensed vendors shall sell stamp during office hours on working days. They may also sell stamps on public holidays.

48. *Conditions of grant of license to any person.*—Subject to the provisions of rule 22, the Collector may grant a license for the sale of stamps to any persons at any place of within any area within the limits of his district:

Provided—

(a) that no person employed in any department of the Government shall be granted a license to sell stamps without the previous consent of the head of such department, and

(b) that no person shall be licensed until he has satisfied himself that the person to be licensed bears a good moral character and is qualified for the purpose educationally.

*Note.*—A person must not be licensed to sell stamps unless he can write Hindi (in deonagri script) very well. The Collector shall inform both official and non-official vendors that Mahajani character shall not be used in place of Hindi in making the endorsements on stamps and entries in the register maintained by them.

49. *Penalty for the infringement of any of these rules.*—Any infringement of these rules or of the conditions of a license shall render the holder thereof liable to cancellation of his license in addition to any other penalties to which he may be liable under the Act and these rules.

50. *List of licensed vendors.*—A register of licenses issued shall be kept in the Collector's office and shall be revised annually in April, when all lapsed licenses shall be struck out and new licenses entered. It shall contain the following headings:—

- (a) Date of license.
- (b) Name of licenses.
- (c) Place of vend.
- (d) Amount of security, if any, taken.
- (e) Description of stamps to be sold under the license.
- (f) Remarks. (this column shall show any changes that may take place during the year).

## CHAPTER VI. Refunds and Renewals.

### Notes

The rules in this Chapter have been framed for the requirements of Chapter V of the Act which deals with "Allowances for Stamps in certain cases"

Section 49 of the Act provides that "Subject to such rules as may be made by the State Government as to the evidence to be required, or the enquiry to be made, the Collector may, on application made within the period prescribed in section 50, if he is satisfied as to the facts, make allowance for impressed stamps spoiled in the cases" mentioned in the section. Section 50 of the Act prescribes period of application for relief under section 49 of the Act.

Section 52 of the Act contains provision for allowance for misused stamps.

Section 53 provides that in any case in which allowance is made for spoiled or misused stamps, the collector may give in lieu thereof—

- (a) other stamps of the same description and value; or
- (b) if required and he thinks fit, stamps of any other description to the same amount in value; or,
- (c) at his discretion, the same value in money, deducting ten naye paise for each rupee or fraction of a rupee.

Section 54 of the Act describes the circumstances under which and the manner in which allowance for stamps not required for use and shall be given.

The rules 51, 52, 53, 54, 56 and 57 have been framed for carrying into effect the requirements of aforesaid provisions of law. The rules prescribe procedure for disposal of applications filed under sections 49, 52, 53, and 54 of the Act.

*51. Procedure and period for obtaining refund or renewal.*—The refund or renewal of the value of spoiled stamps shall be made strictly in accordance with sections 49 to 55 of the Act, and the applications must be made within the period prescribed by section 50. But in cases where the period allowed by the Act for refund or renewal has operated as a serious hardship and the holders of spoiled or useless stamps, or stamps not required for immediate use are, without any fraudulent motive, unavoidably prevented from applying for relief within the prescribed period, the Collector is authorised to allow refund or renewals of spoilt or useless stamps or the repurchase of stamps not required: Provided that the application for refund or renewal is made within two years from the date of purchase of the stamps or within two years from the date on which the stamps were spoiled or rendered useless.

Provided further that the Government may, irrespective of any time limit, dispose of applications for relief in the cases contemplated in the above proviso in which the period of two years has expired.

*52. Power to administer oath.*—The Collector may require any person claiming a refund or renewal under the Act or his duly authorised agent to make on oral deposition on oath or affirmation or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit.

*53. Evidence to be taken.*—Necessary evidence should generally be taken before refund orders are passed, and reliance should not be

placed solely on the stamp officer's report or the unsupported allegations of the claimants for refund.

54. *Proof for failure to apply within time.*—Clear proof should be required that the failure to apply for relief within the period prescribed by the Act was really due to unavoidable circumstances. For instance, it is not sufficient that an applicant should merely state that he was unwell; he must produce satisfactory evidence that he was, as a fact, incapacitated by illness from applying for the refund.

55. *Application for refund under section 45.*—Refund under section 45 of the Act should be by application in writing to the Collector who should forward it to the Chief Controlling Revenue Authority. Such application should bear court-fee as an application to a Collector. While forwarding the application for the orders of the Chief Controlling Revenue Authority, the Collector should submit the file of the case containing the original document bearing the endorsement of the payment of duty and penalty. The Collector should also express his own opinion on the merits of the application.

#### Notes.

Section 45 of the Act provides that:—

[1] Where any penalty is paid under section 35 or section 40, the Chief controlling Revenue-authority may, upon application in writing made within one year from the date of the payment, refund such penalty wholly or in Part.

[2] Where in the opinion of the Chief Controlling Revenue-authority, Stamp duty in excess of that which is legally chargeable has been charged and paid under section 35 or section 40, such authority may, upon application in writing made within three months of the order charging the same, refund the excess.

Section 35 of the Act authorises the admission of certain insufficiently stamped documents in evidence and payment of penalty. Section 40 of the Act authorises the Collector to charge penalty on account of insufficiently Stamped instruments impounded by him.

This rule prescribes procedure for obtaining relief under section 45 of the Act.

56. *Orders on application.*—In all cases the order of refund or renewal, with the reasons thereof must be recorded with his own hand by the officer sanctioning such refund or renewal. The stamps for which the allowance is claimed, shall be destroyed by the officer sanctioning the refund or renewal, if such authority has been delegated to him. In other cases he shall:—

(i) in the case of impressed stamps, write the original order or a certified copy of it on the stamp for which the allowance is claimed or,

(ii) in the case of adhesive stamps record such an order or a copy thereof on a separate sheet of paper. The Stamps shall then be punched and marked in such a way that they cannot be used again and forwarded to the Superintendent of Stamps for destruction.

57. *Procedure when no evidence produced.*—When an application is made for refund or renewal, under the Act in respect of a

stamp which has been spoiled or misused or for which the applicant has had no immediate use or on the renewal of a debenture and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application, then if the amount of the allowance or the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished as the case may be, by the applicant within one year of the date of such order, the application shall be struck off and the spoiled or misused stamps (if any) shall be sent to the Superintendent of Stamps or other officer appointed in this behalf by the Government for destruction.

58. *Mode of cancelling original debenture on refund.*—When the Collector makes a refund under section 55, he shall cancel the original debenture by writing on or across it the word "Cancelled" and his usual signature with the date through.

#### Notes

This rule prescribes the mode of cancellation of debenture as required by proviso of section 55 of the Act which reads as under:—

When any duly stamped debenture is renewed by the issue of a new debenture in the same terms, the Collector shall, upon application made within one month repay to the person issuing such debenture, the value of the stamp on the original or on the new debenture, whichever shall be less:

Provided that the original debenture is produced before the Collector and cancelled by him in such manner as the State Government may direct.

### CHAPTER VII.

#### Miscellaneous.

59. *Provision for cases in which improper description of stamp is used.*—When an instrument bears a stamp of proper amount, but of improper description, the Collector may, on payment of the duty with which the instrument is chargeable, certify by endorsement that it is duly stamped:

Provided that, if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely on account of the difficulty or inconvenience of procuring one of the proper description, he may remit the further payment of duty prescribed in this rule.

60. *Plea of ignorance.*—The plea of ignorance of the requirements of the law should not be lightly accepted; although mere negligent evasions do not call for the application of criminal penalties, yet, it is so difficult to distinguish between negligent and intentional evasions that to include all doubtful cases within the former category and abstain from putting the criminal penalties in force in their case is to impair very seriously the protection to the interests of the revenue which the Act is designed to afford.

61. *Collector not to try cases as Magistrate.*—A Collector who has sanctioned a prosecution under the Act should not himself try the case in his capacity as a Magistrate.

62. *Statement by Collectors regarding prosecutions stayed and cases compounded.*—The power of staying prosecutions and compounding

ending offences under section 70 (2) of the Act is delegated to Collectors who shall submit to the Chief Controlling Revenue-authority, annually, a statement of the cases in which the power has been exercised.

**63. Procedure of compounding and stayal.**—If the Collector is satisfied that it is not desirable to launch a prosecution in respect of an under-stamped instrument he may compound the offence and realize such amount as he deems fit as composition fee. If a prosecution has been already started the Collector may stay the prosecution and, after realizing the composition fee in his discretion, may inform the Magistrate that the accused person might be discharged.

*Notes.*

Rules 61, 62 and 63 have been framed for the purposes of section 70 of the Act which reads as under:—

(1) No prosecution in respect of any offence punishable under this Act or any Act hereby repealed, shall be instituted without the sanction of the Collector or such other officer as [the State Government] generally, or the Collector specially authorizes in that behalf.

(2) The Chief Controlling Revenue-authority, or any officer generally or specially authorized by it in this behalf, may stay any such prosecution or compound any such offence,

(3) The amount of any such composition shall be recoverable in the manner provided by section 48.

**64. Rewards.**—On the conviction of any offender under the Act, the Collector may grant to any person who appears to him to have contributed thereto a reward not exceeding such sum as the Government may fix in this behalf.

**65. Rewards to persons in the service of Government.**—Rewards may be given to a person in the service of the Government in cases where it is no part of the routine duties of that official to bring to light any infraction of stamp law. Rewards may be given to records-keepers for this special service.

Provided that the Chief Controlling Revenue-authority may also grant certificates of good work to the officials contemplated in the above rule whether a reward has been sanctioned or not.

**66. Procedure in case of detection of unstamped or under-stamped instruments during inspection or otherwise.**—(1) In cases where an unstamped or under-stamped instrument is detected in course of inspection or otherwise by a public officer, a report therefore, shall be made forthwith to the Collector.

(2) The Collector shall thereupon issue a notice to the executant or such other person as may be liable to pay the duty under section 29 of the Act, requiring him to produce the original instrument before the Collector.

*Notes.*

Section 29 contains the details of persons by whom expense of providing proper stamp shall be borne.

**67. Assessment of duty and penalty upon production.**—(1) If the original instrument is produced in compliance with the notice issued under sub rule (2) of rule 66 and is found to have been executed within one year of the date of such production, it will be treated

having been produced voluntarily for the purpose of section 41 of the Act.

(2) If other conditions laid down in that section are also satisfied the instrument shall be endorsed by the collector as properly stamped on payment of the deficit duty, if any, and no penalty whatever shall be levied in respect thereof.

#### Notes

Section 41 of the Act permits any person of his own motion to produce instruments unduly stamped by accident before Collector and requires the Collector to receive the deficit on satisfaction of bonafides.

68. *Prosecution in case of non-production.*—If the original instrument is not produced in compliance with the notice under rule 66, the Collector may launch prosecution against the person concerned under section 62 or 64 of the Act, as the case may be, unless, of course, the case is compounded on payment of a suitable composition fee.

#### Notes

(1) Any person—

- (a) drawing, making, issuing, endorsing or transferring, or signing otherwise than as a witness, or presenting for acceptance or payment, or accepting paying or receiving payment of, or in any manner negotiating, any bill of exchange, payable otherwise than on demand or promissory note without the same being duly stamped ; or
  - (b) executing or signing otherwise than as a witness any other instrument chargeable with duty without the same being duly stamped; or
  - (c) voting or attempting to vote under any proxy not duly stamped ;
- shall for every such offence be punishable with fine which may extend to five hundred rupees ;

Provided that, when any penalty has been paid in respect of any instrument under section 35, section 40 or section 61, the amount of such penalty shall be allowed in reduction of the fine (if any) subsequently imposed under this section in respect of the same instrument upon the person who paid such penalty.

(2) If a share-warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall be punishable with fine which may extend to five hundred rupees.

Any person who, with intent to defraud the Government,—

- (a) executes any instrument in which all the facts and circumstances required by section 27 to be set forth in such instrument are not fully and truly set forth ; or
- (b) being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all such facts and circumstances ; or
- (c) does any other act calculated to deprive the Government of any duty or penalty under this Act ;

shall be punishable with fine which may extend to five thousand rupees.

69. *Production of original before Magistrate.*—(1) When prosecution has been launched, the Collector shall move the Magistrate seized of the case to take action, if any such action has not already been taken by the Magistrate of his own motion, for the production of the original instrument in court under section 94 or section 96 of the Code of Criminal Procedure 1898.



(2) If the original instrument is not produced in court, a copy there of may be produced as secondary evidence under section 63 of the Indian Evidence Act 1872 to prove the contents of the original.

70. *Impounding.*—If the instrument is produced in court, the Collector shall move the Magistrate to impound the same under section 104 of the Code of Criminal Procedure, 1898 unless it has already been impounded by the magistrate of his own accord.

*Notes.*

Whenever any Court, or in any place beyond the limits of the towns of Calcutta and Bombay, any officer in charge of a police station, considers that the production of any document or other thing is necessary or desirable for the purposes of any investigation, inquiry, trial or other proceeding under this Code by or before such Court or officer, such Court may issue a summons, or such officer a written order, to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it, or to produce it, at the time and place stated in the summons or order.

(2) Any person required under this section merely to produce a document or other thing shall be deemed to have complied with the requisition, if he causes such document or thing to be produced instead of attending personally to produce the same.

(3) Nothing in this section shall be deemed to affect the Indian Evidence Act, 1872, Secs. 123 and 124 or to apply to a letter, postcard, telegram or other document or any parcel or thing in the custody of the Postal or Telegraph authorities.

(1) Where any Court has reason to believe that a person to whom summons or order under Sec. 94 or a requisition under Sec. 95, sub-Sec. (1), has been or might be addressed, will not or would not produce the document or thing as required by such summons or requisition,

or where such document or thing is not known to the Court to be in the possession of any person,

or where the Court considers that the purposes of any inquiry, trial or other proceeding under this Code will be served by a general search or inspection, it may issue a search warrant; and the person to whom such warrant is directed, may search or inspect in accordance therewith and the provisions hereinafter contained.

(2) Nothing herein contained shall authorize any magistrate other than a District Magistrate or Chief Presidency Magistrate to grant a warrant to search for a document, parcel or other thing in the custody of the Postal or Telegraph authorities,

Any Court may, if it thinks fit, impound any document or thing produced before it under this Code.

71. *Assessment of penalty.*—When an instrument impounded under rule 70 is received by the collector for action under section 40 of the Act, he shall take into consideration, while assessing the penalty thereon, the fine if any, imposed by the Magistrate as a result of the prosecution launched under rule 68.

*Notes.*

Section 40 of the Stamp Act provides that,

(1) when the Collector impounds any instrument under section 33, or receives any instrument sent to him under section 38, sub-section (2), not being an instrument chargeable with a duty not exceeding ten naye paise only or a bill of exchange or promissory note, he shall adopt the following procedure:—

(a) if he is of opinion that such instrument is duly stamped, or is not chargeable with duty, he shall certify by endorsement thereon that it is duly stamped; or that it is not so chargeable as the case may be :

- (b) if he is of opinion that such instrument is chargeable with duty and is not duly stamped, he shall require the payment of the proper duty or the amount required to make up the same, together with a penalty of five rupees ; or, if he thinks fit, an amount not exceeding ten times the amount of proper duty or of the deficient portion thereof, whether such amount exceeds or falls short of five rupees :

Provided that, when such instrument has been impounded only because it has been written in contravention of section 13 or section 14, the Collector may, if he thinks fit, remit the whole penalty prescribed by this section.

(2) Every certificate under clause (a) of sub-section (1) shall, for the purposes of this Act, be conclusive evidence of the matters stated therein.

(3) Where an instrument has been sent to the Collector under section 38, sub-section (2), the Collector shall, when he has dealt with it as provided by this section, return it to the impounding officer.

By Order of  
His Highness the Rajpramukh,  
J. N. PUROHIT,  
Secretary to the Government,

Note:—In the rules except in rule 31 (2) (a) and (b) for the words “half an anna”, “one anna”, two annas” and “four annas” wherever they occurred the words, “five Naya Paisa”, “Ten Naye Paise”, “fifteen Naye Paise” and “Twenty-five Naye Paise” respectively have been substituted vide amending Notification No. D. 7467/58/F. 2 (14) E & T/56 dated 1/10/58 Published in Rajasthan Rajpatra part IV (c) dated 1/10/58.

### APPENDIX.

#### List of Instruments referred to in Rule 11.

	<i>No. of articles in Schedule.</i>
1. Administration bond.	2
2. Affidavits.	4
3. Agreements or memoranda of agreements which in the opinion of the proper officer cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed.	5
4. Instruments evidencing an agreement relating to (1) the deposit of title-deeds of instruments constituting or being evidence of the title to any property whatever (other than a marketable security) or (2) the pawn or pledge of hypothecation of movable property.	6
5. Appointments made in execution of a power.	7
6. Instruments of apprenticeship.	9
7. Articles of Association of a company.	10
8. Awards.	12
9. Bills of Exchange payable otherwise than on demand and drawn in Rajasthan.	
10. Composition deeds.	22
11. Instruments imposing a further charge on mortgaged property.	32

12. Leases partly printed or lithographed when the written matter does not exceed one-fourth of the printed matter.	35
13. Letters of licence.	38
14. Memoranda of Association of companies.	39
15. Mortgage of crops.	41
16. Note or Memorandum when the duty payable exceeds two annas.	43 (b)
17. Instruments of co partnership.	46—A
18. Instruments of dissolution of partnership.	46—B
19. Power of attorney, where not registered.	48
20. Share warrants if issued by a company under the Rajasthan Companies Act.	59
21. Transfers when the duty payable exceeds Rs. 10/—.	2
22. Declaration of trust.	64—A
23. Revocation of trust.	64—B
24. Warrants for goods.	65

## FORM A.

## (Rule 25.)

License for the sale of stamps under the Indian  
Stamp Act as adapted to Rajasthan.

License is hereby granted to.....

.....to sell  
stamp at ..... of the following descriptions, namely:—

.....  
for a period of.....  
commencing from.....  
subject to the rules made in that behalf under the Indian Stamp Act 1899 as adapted to Rajasthan. The infringement of any of these rules shall render the licensee liable to the penalty prescribed in section 69 of the said Act viz. imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees or both.

District.

Dated.

Collector.

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# RAJASTHAN STAMP RULES, 1955

The following amendments in the Rajasthan Stamps Rules, 1955, namely:—

## AMENDMENTS

In the said rules:—

1. in the head-note to rule 15,  
for the words “one anna” the words, “ten Naya Paisa”, shall be substituted;  
in rule 15,  
between the words “affixing of ten Naya Paisa” and the words “adhesive Stamps”, the words “or five Naya Paisa”, shall be inserted;
3. in rule 18,  
between the words “ten Naya Paisa” and the words “and inscribed”, the words “or five Naya Paisa”, shall be inserted.

[Pub. in Raj. Raj-patra Part IV (c) Dt. 21-2-63 at Page 969]

*Notification No. F. 2 (4) E & T/60, dated 8-3-63*—In exercise of the powers conferred by the Indian Stamp Act, 1898 as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act 7 of 1952), the state Government hereby makes the following amendments in the Rajasthan Stamp Rules, 1955, namely:—

## AMENDMENT

for the existing appendix to the rules, the following appendix shall be substituted, namely:—

## APPENDIX

List of Instruments referred to in rule 11

	No. of articles in schedule
1. Administration Bond	2
2. Affidavits.	4
3. Agreements or memoranda of agreements which in the opinion of the proper officer cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed.	

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(Raj. Gazette (Finance Revenue Section) dated 4-4-1963 Part IV(Ga)  
Page 23 )

**Notification No. F.2(11)E.& T/63.**—In exercise of the powers conferred by section 74 of the Indian Stamp Act, 1899 (Central Act II of 1899), as adapted to the State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act VII of 1952), the State Government hereby makes the following amendment in the Rajasthan Stamp Rules, 1955, namely:—

## AMENDMENT

For sub-rule (2) of rule 31 of the said rules, the following sub-rule shall be substituted, namely:—

“(2) The rates of discount per 100 are as follows:—

(a) For Non-Judicial Stamps:—

(i) In all district headquarters

towns ... ..

Rs. 3.10 np.

(ii) In all sub-division head-

quarters-towns.....

Rs. 4.70 nP.

(iii) At other places

Rs. 6.25 nP.

(b) Judicial Stamps for all head-

quarters.....

Rs. 1.55 nP.

[Finance (Revenue and Economic Affairs) Department (Rev. Sec.)  
Notification dated, 17-12-63 published in Raj. Gaz. Part 4 (Ga) Dt.  
20-2-64 page, 671(16).]

Finance (Rev. & Eco. Affairs) Department

Commercial taxes section)

Jaipur, March 30, 1967

**Notification No. F. 1 (3) FD (CT)/65.**—In exercise of the powers conferred by section 75 of the Indian Stamp Act, 1898 as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act VI of 1952), the State Government hereby makes the following Rules further to amend the Rajasthan Stamp Rules, 1955, namely:—

## RULES

1. **Short title.**—(i) These rules may be called the Rajasthan Stamp (Amendment) Rules, 1967.

(ii) They shall come into force with effect from the 1st May, 1967.

2. After rule 59 of the Rajasthan Stamp Rules, 1955 the following new rules shall be added, namely:—

“59-A. *Facts affecting duty to be set forth in instrument.*—In the case of an instrument relating to immovable property chargeable with an *ad valorem* duty on the value of the property, or on the value set forth therein,—

(i) the instrument relating to agricultural lands shall fully and truly set forth,—

(a) the annual rent payable by the Khudkasht holder, Khatedar, Gair Khatedar, or Sub-Tenant of the land in question,

(b) the annual rent payable by the Khudkasht holder, Khatedar, Gair Khatedar or Sub-Tenant, as the case may be, of the adjoining agricultural land of the same class of soil, if the land which is subject matter of instrument, is rent free, or yielding no rent, or unrented, or which has not been assessed to any rent;

(ii) the instrument relating to transaction of any immovable property of urban or rural area, except agricultural land, shall fully and truly set forth—

(a) the value of the property,

(b) the annual rental or gross-assets,

(c) local rates, municipal or other taxes,

(d) the area of the plot and the area of constructed portion thereon.

3. After rule 66 of the Rajasthan Stamp Rules, 1955 the following new rules shall be added, namely:—

“66 A. *Procedure to be followed by the Collector in cases of under valued instruments under section 47 (2).*—On receipt of the instrument under sub-section (i) of section 47-A, the Collector shall issue a notice to the executant or such other person as may be liable to pay the duty and require him to show cause, within a period of 15 days from the receipt of such notice, why he should not proceed to determine the value for consideration of the property. On receipt of the written reply or if no such reply is received within the time specified, the Collector shall start an enquiry. He may permit the Registering Officer or his nominee to present the case in support of his reference under section 47-A.

(i) The Executant or such other persons as may be liable to pay the duty may present his case with the assistance of a lawyer. The Collector shall in the course of enquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the subject matter



nvolved. The executant or such other person as may be liable to pay the duty shall be entitled to cross-examine the witness, if any, produced by the Registering Officer and to give evidence in person. The Registering Officer or his nominee shall be entitled to cross-examine the executant or such other person as may be liable to pay the duty and the witnesses examined on his behalf. If the Collector declines to examine any witness on the ground that the witness is not relevant or material he shall record his reasons in writing. At the conclusion of the enquiry the Collector shall make an order, recording his findings together with the reasons therefor. The enquiry shall be a summary enquiry and shall be completed as far as possible within a period of 3 months.

“66.B. *Procedure for appeals.*—In case, any person is aggrieved by an order of the Collector under sub-section (2) of section 47-A, he may prefer an appeal as provided for in sub-section (3) of section 47-A. The principal civil court of original jurisdiction shall hear such appeals, and dispose it of in the manner laid down in the code of Civil Procedure, 1908, for hearing of 1st appeals by a Court of Appellate Jurisdiction.”

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 30-3-67 Page 901]

*Notifications under*

**RAJASTHAN STAMP RULES, 1955.**

*Published in Raj. Raj-patra Dated December 31, 1955 part I (a) at page 263:*

English Translation

(Authorised by His Highness the Rajpramukh.)

**NOTIFICATION**

Jaipur, December 19, 1955.

*No. P. 37 (2) SR/55.*—In pursuance of clause (h) of sub-rule (1) of rule 1 of the Rajasthan Stamp Rules, 1955, the Government of Rajasthan is hereby pleased to appoint the Additional Inspector General of Registration, Rajasthan, in virtue of his office, to perform the functions of the Superintendent of Stamps mentioned in Rule 10 of the said rules.

By Order of  
His Highness the Rajpramukh,  
G. S PUROHIT.  
Secretary to the Government.

*Notifications under*

**Rajasthan Stamps Rules, 1955.**

*Published in Raj. Raj-patra part IV (c) dated August-31, 1961 at page 246 :*

**Excise & Taxation Department**

**ORDERS**

*Jaipur, July 6, 1961.*

No. F. 2 (27) E. & T./60-I.—In pursuance of clause (i) of sub-rule (1) of rule 2 of the Rajasthan Stamps Rules, 1955 and in supersession of this Department Order No. F. 11 (104) E.&T./57 dated the 24th September, 1959, the State Government hereby directs that—

(1) the Deputy Commissioner, Excise and Taxation, Headquarters Udaipur, Rajasthan, shall by virtue of his office be the Superintendent of Stamps, and

(2) the said Superintendent of Stamps shall perform all the functions of the Superintendent of Stamps under the Rajasthan Stamp Law (Adaptation) Act, 1952 and the rules made thereunder.

# Rajasthan Stamps Disposal Rules, 1962.

Excise & Taxation Department

## NOTIFICATION.

Jaipur, July 24 1962.

No.F. 2 (35) E&T/56.—Under the authority derived from rule 47 of the rules for the supply and distribution of stamps made by the Government of India, Ministry of Finance (Revenue Division), the Government of Rajasthan, in consultation with the Accountant General, is pleased to make, for the State of Rajasthan, the following rules for the disposal of such stamps which are the property of Rajasthan Government and are obsolete unserviceable or spoiled or have been cancelled on payment of a refund, or on renewal, namely:—

### Preliminary.

1. These rules may be called "The Rajasthan Stamps (Disposal) Rules, 1962" and shall take effect immediately, in supersession of all the existing rules, orders, notifications on the subject in force in any area of the State of Rajasthan.

(2) In these rules, unless a different intention appears from the subject or context.

(a) "Superintendent of Stamps" means the Additional Inspector General of Registration and Stamps, Rajasthan, & includes any other officer appointed by the State Government to perform the functions of the Superintendent of stamps under these rules;

(b) "Collector" means, for the purpose of these rules the Collector of a District;

(c) "Treasury Officer" means the officer in charge of the local stamps Depot.

(d) "Stamp" means, as the case may be—

(i) a stamp intended to be used under the Indian Stamps Act, 1899 as adapted to Rajasthan by the Rajasthan Stamp Law (adaptation) Act, 1952 and includes both adhesive stamps and impressed Stamps, as the case may be;

(ii) a stamp intended to be used under the Court fees Act, 1870 as adapted to Rajasthan by the Court Fee Act (Adaptation) Ordinance, 1950, and includes both adhesive stamps and impressed stamps;

(e) "Spoilt stamps means and includes the following:—

(i) a stamp or in the case of an impressed stamp the paper on which it is impressed which has been so damaged,

spoiled or obliterated as to render it permanently unfit for use, whether the said paper has been written upon or not; provided that such stamps or paper has not in fact been used for the purpose for which it was intended, and has not been cancelled under the Provisions of section 30 of the Court Fees Act, 1870, as adapted to Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950.

(ii) Subject to the same proviso, a stamped paper which has become unserviceable owing to some material error or irregularity in the writing or form of the document inscribed on the paper;

(iii) a stamp which, before being used, is found not to be required owing to the purpose for which it was procured having been effected by some other document;

(iv) a stamp of any particular kind of which the use has been prohibited or ordered to be discontinued by competent authority;

(f) 'renewal' means the exchange, in the manner provided in the Rajasthan Stamp Rules, 1955 of a damaged or spoiled stamps or a stamp not required for immediate use, for a fresh stamp of equal value and a similar kind; &

(g) 'refund' means repayment of the value of a stamp in money with or without a deduction and includes 'allowance'

(h) 'Form' means a form appended to these Rules, Disposal of obsolete, unserviceable and spoilt stamps that form part of the stock of stamps in Local Depots.

(3) All stamps that are obsolete, unserviceable or spoilt shall be sent by the Treasury Officer at the end of every quarter to the Superintendent of stamps. The Treasury Officer shall explain how the damage occurred, who was responsible for it, and what steps have been taken to guard against similar damage in future.

(4) The Superintendent of stamps shall on receipt of stamps proceed to investigate that stamps are genuine and are really obsolete, unserviceable or spoilt and further that the explanation of the Treasury Officer is adequate and in case he is satisfied will certify to that effect. He will, therefore, pass order for the writing off of the value of such stamps to a limit of Rs 250/- in each separate case and the Superintendent of stamps shall cause stamps to be destroyed in his presence and grant a destruction certificate. The destruction certificate shall show the quantity and face value of the stamps destroyed.

(5) If the value of the obsolete, unserviceable or spoilt stamps exceeds Rs. 250/— the sanction of the State Government shall be obtained for the writing off of the value of such stamps and to their destruction. On receipt of sanction the Superintendent of Sta-

mps shall personally destroy the stamps and shall grant a destruction certificate.

(6) Except as provided for by Note 1—below all losses whether by theft, fraud, accident or any other cause of postage stamps while in stock in a Treasury shall be reported by the Treasury Officer to the administrative head, and a copy of the report shall be sent to the Superintendent of stamps and the Accountant General. The report shall explain in detail (1) the quantity, the face value and the manufacturing value of the stamps lost; (2) the cause and the responsibility for the loss; (3) whether in the opinion of the Treasury Officer the loss was contributed to by the negligence of any individual or individuals; (4) the amount proposed to be recovered, if any, from person or persons at fault; and (5) steps taken or proposed to be taken to prevent the recurrence of such loss. The administrative head shall on receipt of the report institute such further enquiries and pass such orders as he may consider necessary with reference to Note 2 below and shall forward copies of his orders to the Superintendent of Stamps and the Accountant General. The Treasury Officer incharge of the depot shall, on receipt of the orders, forward the damaged stamps if they can be counted and identified to the Superintendent of stamps for destruction as required by rule 4.

*Note 1.*—In the case of damaged postage stamps which can be identified as complete stamps and can indubitably be checked by actual counting, if the manufacturing value does not exceed Rs. 10 no report shall be made to the administrative head if in the opinion of the Treasury Officer, the damage could not have been avoided with proper care. The stamps in such cases shall be sent to Superintendent of stamps for destruction with a letter furnishing information on the following points—(1) the quantity, the face value and the manufacturing value of the damaged stamps, (2) the date on which the treasury stock was last examined; (3) the date on which the damage was first noticed; (4) steps taken or proposed to be taken to prevent such damage in future. A copy of this letter should be endorsed to the Accountant General. It shall be open to the Supdt. of stamps in any case to draw the attention of the administrative head to the damage with a view to instituting enquiries as to the cause of the damage, etc. fixing the responsibility therefor & taking necessary action.

*Note 2.*—Those losses will in general be borne by the Department, but in cases in which individuals having been found guilty of contributory negligence are ordered to make good the whole or a part of the total loss (equivalent either to the manufacturing value or the face value of the stamps, the former only in cases where the stamps, are spoilt but not lost or, if lost, cannot be used) the recoveries shall be credited to that department.

(7) If any stamps received are found unfit for issue because of faulty manufacture, they shall be returned at once by the Treasury Officer direct to the Controller of stamps, Nasik Road, for exchange. If, however the stamps are unfit for issue because of damage due to defective packing at Nasik, the matter shall be referred to the Superintendent of stamps who will, if satisfied that the facts alleged are correct, have the stamps in question returned to the controller for exchange. The controller is not however liable for damage in transit.

(8) All stamps forwarded to the Superintendent of stamps or returned to the Controller of stamps, Nasik Road, shall be packed and sealed in the presence of the Treasury Officer and be sent by registered post if this can be done conveniently.

(9) The necessary entries on account of stamps sent to the Controller of Stamps, Nasik Road or to the Superintendent of Stamps shall be made in the plus and minus memos by the Treasury Officer.

(10) Orders conveying sanction to the writing off of losses under these rules shall be communicated to the Accountant General, Rajasthan, in the following manner:—

(a) If the order is issued by the Supdt. of Stamps then by him and,

(b) If the order is issued by the State Government then under the endoresement of the Secretary to the Government of Rajasthan in Excise and Taxation Department.

### DISPOSAL OF STAMPS IN CASES OF REFUND OR RENEWAL

(11) Every application for refund or renewal required to be preserved under Rule 51 to 58 of the Rajasthan Stamps Rules, 1955 shall along with the stamps be kept securely locked and shall be shown as outstanding in the quarterly report in Form I which shall be submitted to the Collector.

(12) If the Chief Controlling Authority of the State Government decided that the refund or renewal applied for is not admissible, the original stamps shall be destroyed by the Superintendent of stamps and the orders of rejection shall be communicated to the Collector who shall inform the applicant of the decision.

(13) The Superintendent of Stamps shall inspect the record & registers required to be kept in local stamps Depot at regular interval of not exceeding one year.

Immediately after the inspection the stamps cancelled on account of refund or renewal shall be destroyed by the Superintendent of Stamps and a destruction certificate shall be granted in the same manner as in the case of destruction of obsolete stamps.

14. The destruction of stamps under these rules shall be affected by burning in the presence of the Superintendent of stamps who shall record the following certificates on the file:—

“Stamps of the value of Rs....  
 .....(both in words & figures) burned in my  
 presence”.

Dated.....

.....

Superintendent Stamps.

The fact of the destruction of stamps shall also be recorded in the concerning register.



FORM No. 1 (VIDE RULE 11)  
STATEMENT OF REFUNDS AND RENEWAL OF NON-POSTAL STAMPS.....DISTRICT

Serial No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Date of application of refund or renewal.																								
Name & Address of the applicant.																								
Number.																								
Description.																								
Date of purchase of stamps.																								
Date of spoiling of stamps.																								
Authority for refund or renewal.																								
Face value of stamps tendered for refund or renewal.																								
Amount deducted at ten N. P. in the rupee in case of refunds.																								
Amount of refund or renewal admissible.																								
Initial of office superintendent.																								
Net amount of refund allowed.																								
Value of stamps allowed to be renewed.																								
Value of stamps returned in respect of which refund for renewal is refused.																								
Value of stamps cancelled.																								
Initials of Collector.																								
Signature of recipient of refund or renewal statement or of stamps of which refund or renewal is refused.																								
Attestation by office superintendent.																								
No. and date of letter with which application has been sent to the Addl. Inspector General, Registration & Stamps or returned.																								
Value of stamps destroyed.																								
Date of destruction.																								
Initials of Superintendent Stamps.																								
REMARKS.																								

Note:—Column 9 to 11 are not to be filled in cases in which the refund or renewal is to be rejected.

By order of the Governor,  
S. P. Singh Bhandari  
Secretary to the Government.

*Notification under*

## INDIAN STAMP ACT, 1899.

*Published in Raj. Raj-patra Dated December 22, 1949, at page 345 :*

Government of the United State of Rajasthan

Separate Revenue Department.

### NOTIFICATION.

Jaipur, December 22, 1949

No. 17.(9)-X-S.R./49.—In exercise of the power conferred by Clause (a) of section 9 of the Indian Stamp Act, 1899, as applied to the Former Rajasthan State and the corresponding provision of the Stamp Law for the time being in force in the other parts of Rajasthan, the Government of the United State of Rajasthan is pleased to remit from the 1st January, 1950, the whole of the Stamp Duty on all instruments executed in connection with the business of the Rehabilitation Finance Administration constituted under the Rehabilitation Finance Administration Act, 1948 (XII of 1948), of the Central Legislature, which has been extended to Rajasthan by the Rajasthan Rehabilitation Finance Administration (Extending) Ordinance, 1949 (No. XXVII of 1949).

G. S. PUROHIT,

Secretary to the Government,  
Separate Revenue Department,  
United State of Rajasthan.

*Published in Raj. Raj-patra Dated February 8, 1950, at page 207 :*

Separate Revenue Department.

### NOTIFICATION

Jaipur, February 8, 1950.

No. F. 5 (34)-S.R./49.—In pursuance of the powers conferred under the Stamp Laws in force in Rajasthan the Government of Rajasthan is pleased to order that until further orders the stamps of any of the Covenantee States of the Government of Rajasthan which are superimposed with the words 'Rajasthan State' shall be usable, according to their respective values, throughout Rajasthan.

By Order of the His Highness  
the Rajpramukh,

G. S. PUROHIT,

Secretary to the Government  
of Rajasthan,  
Separate Revenue Department.

*Published in Raj. Raj-patra Dated May 7, 1952 part IV (a) at page 1 :*

SEPARATE REVENUE DEPARTMENT.

### NOTIFICATION.

Jaipur, May 7, 1952.

No. F. 5. A (1) S. R /49.—In pursuance of sub-section (3) of section 1 of the Rajasthan Stamp Law (Adaptation) Act, 1952 (Act

No. VII of 1952), the Government of Rajasthan hereby appoints the 15th day of May, 1952, as the date on which the said Act shall come into force.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 20, 1954 part I (b) at page 530*

Jaipur, November 6, 1954.

*No. F 16 (12) SR/54.*—In exercise of the powers conferred by Section 9 of the Indian Stamp Act 1899 (No. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act 1952 (Rajasthan Act No VII of 1952) the Government of Rajasthan is pleased to remit the Stamp Duty payable on the sale deed to be executed by the Government of Rajasthan in favour of the Government of India in connection with the sale of a plot of Land measuring 456 ft. by 666 ft. situated to the North of the Rajasthan Secretariat Building Jaipur for the construction of a building for the office of the Accountant General Rajasthan.

By Order of  
His Highness the Rajpramukh,  
J. N. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated April 23, 1955 part IV (c) at page 57-64 :*

(Authorised translation in English Language)

Separate revenue department.

### NOTIFICATION

Jaipur, February 15, 1955.

Reductions and Remissions.

*No. F. 49 (4) (SR)/53.*—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952, (Rajasthan Act No. VII of 1952) the Government of Rajasthan is pleased to reduce to the extent set forth in each case, the duties chargeable under the said Act in respect of the instruments hereinafter described under numbers 1, 12, 50 and 51 and to remit the duties so chargeable in respect of the instruments of the other classes hereinafter described:—

#### A — Land Revenue

1. Agreement or memorandum of an agreement whereby the owner or occupier of land in a village agrees to relinquish his rights therein to the Government, and to accept rights in other land in exchange for the rights so relinquished.—Duty reduced to four annas. (Art. 5).

2. Instrument executed by a landlord whereby he agrees to remit rent due from a tenant in consideration of a remission granted by the Government in respect of his own rent. (Art 5).

3. Certified copy of a map showing the holdings of cultivators when furnished to such a cultivator. (Art. 24).

4. Instrument executed with the object of securing due payment for seed or agricultural implements purchased on credit from the Agricultural Department.

5. Copy or extract certified by a patwari to be a true copy of, or a true extract from records or papers which patwaries are required to prepare or keep by any rule made by the Government under the Revenue Law of the State, where the copy or extract is furnished by a patwari to a tenant or in the village with which the copy or extract is concerned. (Art. 24).

6. Patta granted on behalf of the Government to a holder of land for ordinary cultivation. (Art 35).

7. Agreement or counter part of an agreement executed in the course of arrangements made by the local Government for the collection of land-revenue and cesses. (Art. 5).

#### B.—FOREST DEPARTMENT.

8. Instrument in the nature of a conveyance by the Government of standing trees or any other forest produce in a Government forest; and also the following instruments:

- (i) Contract for the collection minor produce barks, etc.;
- (ii) Contract for felling and removing trees;
- (iii) Contract for the purchase of timber or firewood to be felled or cut departmentally;
- (iv) Contract of the usufruct of trees and topes;
- (v) Contract for the felling or cutting and purchase of timber or firewood;
- (vi) Agreement for felling and conversion of timber;
- (vii) Agreement for hunting, shooting or fishing in reserved or protected forests;
- (viii) Agreement for the grazing of cattle;
- (ix) Agreement for the manufacture and purchase of minor forest produce;
- (x) Agreement for constructing roads and buildings.

#### C.—Scholarships, Stipends, Etc.

9. Agreement, bond or security bond required to be executed by or on behalf of the holder of a scholarship or stipend awarded by Government (Arts 5, 15, 57).

#### D.—Educational Institutions.

10. Instrument executed in favour of Government by the Managing Authority of an Educational Institution aided by Government, with the object of securing by hypothecation of land and buildings belonging to the institution, that grants in-aid to the institution are refunded if the said land and buildings are not used for educational purposes or if the education given by the institution is defective or unsatisfactory. (Art. 40).

11. Instrument executed in favour of Government by the Managing Authority of an Educational Institution with the object of securing the due use of land which such institution has been permitted to occupy.

12. Trust-deed entered into in compliance with the rules for the time being in force in Rajasthan regulating grants-in-aid made by the Government for building purposes to schools and colleges in the State.—Duty reduced to the amount payable in respect of a bond for like amount or value, or to Rs. 15, whichever shall be less (Art. 64).

#### E.—Medical Department.

13. Agreement executed by a private medical practitioner on acceptance of service under the Government of India as a Surgeon to the Indian Government Forces with the temporary ranks of Lieutenant in the Indian Medical Service. (Art. 5).

#### F.—Post and Telegraph Department.

14. Letter which a person depositing money in a Post Office Savings Bank, as security to the Government or a local authority for the due execution of an office or for the fulfilment of a contract or for any other purpose, is required to address to the Postmaster in charge of the Post Office Savings Bank agreeing to special conditions with respect to the application and withdrawal of the money deposited and the payment of interest accruing due thereon. (Art. 5).

15. Receipt given by or on behalf of a depositor in a Post Office Savings Bank for a sum of money withdrawn from any such Bank. (Art. 53).

16. Receipt endorsed by the payee on a Postal Money Order or given by the payee to the Post Office for a sum paid to him in adjustment of a short or wrong payment of such an Order.

17. Receipt endorsed by the holder of a Post Office Cash Certificate at the time of its discharge. (Art. 53).

#### G.—Railways.

18. Agreement made with a Railway Company or Administration for the conveyance of goods.

19. Agreement of indemnity bond given to a Railway Authority by a passenger permitted to travel without payment of fare, indemnifying such authority or Company from any claim for damages in case of accident or injury. (Arts 5, 34).

20. Agreement or indemnity bond given to a Railway Authority by a consignee (when the Railway receipt is not produced) in respect of the delivery of articles carried at half parcels rates or at goods rates, namely: fresh fish, fruits, vegetables, bazar baskets, bread, meat, ice and other perishable articles. (Arts. 5, 34).

21. Agreement made with the Railway Company or Administration which purports to limit the responsibility of the Company or Administration as declared by the Indian Railway Act, 1890

X of 1890), section 72, sub-section (1), and is in a form approved by the Government of India under sub-section (2) of that section. (Art. 5)

22. Receipt issued by a Railway Company or Administration for the fare for the conveyance of passengers or goods; or both, or animals, or for any charges incidental to the conveyance thereof or given to such Company or Administration for the refund of an overcharge made in respect of such fare or charges. (Arts. 14, 53).

23. Receipt given by a Railway Company or Administration for money received by it from another Railway Company or Administration on account of its share of fares or freight for the conveyance in through traffic of passengers or goods or both or of animals. (Art. 53).

#### H,—Government Officers and Contractors.

24. Agreement paper passed by a contractor of a Supply and Transport Corps where his security deposit is transferred to a Post Office Savings Bank. (Art. 5).

25. Instrument in the nature of a memorandum or agreement furnished to, or made or entered into with a Supply and Transport Officer by a contractor. (Art. 5).

26. Agreement or declaration by which a tender made to a Supply and Transport officer is accepted as a contract, where the deposit of the contractor as security for his contract is made in Government of India Promissory Notes or in cash. (Art. 5).

27. Instrument in the nature of a memorandum agreement, or security bond furnished to or made, or entered into by a contractor for the execution of any work entrusted to him by, or for the due performance of any contract with—

(a) the Forest Department, or

(b) the Railway Department, or

(c) the Public Works Department, or any other Administrative department empowered to execute public works, or

(d) the Revenue Department in respect of minor irrigation works contracts, or

(e) the Public Health Department, or

(f) the Police Department in respect of contracts for the supply of rations to Rajasthan Rifles and the civil police, or

(g) the Industries Department in respect of contracts for the supply of stores for the public service, or

(h) the Jails Department in respect of contracts for the supply of articles for use in jails. (Arts. 5, 57).

(28) Agreement for the erection of buildings, etc., on Government land.

29. Instrument furnished to or made or entered into with any of the Departments mentioned in item (27) by a contractor under which the due performance of any contract is secured by the deposit of money or of Government or other securities; and an

instrument under which materials belonging to a contractor are mortgaged as security for an advance made to him by any such Department. (Art. 40).

29A. Mortgage deeds executed by a municipal board in Rajasthan in favour of the Government of Rajasthan in connection with the advance of loans to them by the said Government to implement their public utility schemes such as water supply drainage etc.—Duty reduced to half the duty ordinarily chargeable on mortgage deeds (Art. 40).

30. Mortgage-deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received by him from the Government for the purpose of constructing, purchasing or repairing a dwelling house for his own use. (Art. 40).

31. Instrument or re-conveyance of mortgaged property executed by Government in favour of any person who is or has been in the Civil or Military employ of Government on the repayment of an advance received by him from the Government for the purpose of constructing, purchasing or repairing a dwelling house for his own use. (Art. 54).

32. Instrument of re-conveyance executed by Government in respect of property mortgaged by an officer of Government or his surety as security for the due execution of an office or the due accounting for money or other property received by virtue thereof (Art. 54).

33. Mortgage-deed or agreement executed by an officer of the Government for securing the repayment of an advance received by him from the Government for the purpose of purchasing a motor car, a motor boat, a motor cycle, a horse, a cycle, or a typewriter. (Arts 5, 40).

34. Agreement executed by an officer of the Government relating to the repayment of an advance received by him from the Government for defraying the cost of passages for himself or his family or both. (Art. 5).

35. Receipts given for pension or allowances paid by the Central Government to an heir of a deceased non-commissioned or petty officer, soldier, sailor or airman of the Indian Military, naval or air forces. (Art. 53).

36. Authority in writing executed under Rule 1, Order XXXVIII of the Code of Civil Procedure, 1908, (Act V of 1908), by any officer or soldier actually serving the Government in a military capacity authorising any person to sue or defend in his stead in a Civil Court. (Art. 48).

#### J—Other Documents.

37. Receipt given for payment of interest on Government of India Promissory Notes. (Art. 53).

38. Letter of authority or power-of-attorney executed for the sole purposes of authorising one or more of the joint-holders of a Government security to give on behalf of the other or others of them, or any one or more of them, a discharge for interest payable on such security or on any renewed security issued in lieu thereof. (Art. 48).

39. Sanad of Jagir or other instrument conveying land granted to an individual by the Government otherwise than for a pecuniary consideration. (Arts. 23, 33).

40. Instrument of exchange executed by a private person where land is given by him for public purposes in exchange for other land granted to him by the Government. (Art. 31).

41. Transfer by endorsement of a mortgage of rates and taxes authorised by any law for the time being in force in Rajasthan. (Art. 62).

42. Affidavit made by the lessee of a fishery declaring that the property tendered by him as security for the due payment of rent for the fishery is free from encumbrances. (Art. 4).

43. Affidavit or declaration in writing when made, as a condition of enrolment, in the Police Department.

44. Receipt given by a gangman on a famine relief work in respect of sums exceeding Rs. 20 paid to him on account of the wages of relief workers. (Art. 53).

45. Authority in writing (general or special) authorising an agent to appear and plead under the Rajasthan Panchayat Act, 1953. (Art. 48).

46. Lease of a fishery granted by the Government. (Art. 35).

47. Unattested instrument evidencing an agreement relating to the hypothecation of movable property, where such hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or of an existing or future debt. (Art. 40).

48. Instrument of transfer of Government Stock registered in the book debt account. (Art. 62).

49. Decision or award of the Registrar of Co-operative Societies for Rajasthan and the award of arbitrators in any dispute in which a co-operative society in Rajasthan is a party. (Art. 12).

50. Certificate of sale granted to the purchaser of any property sold by public auction by a Registrar of Co-operative Societies.—Duty reduced to the amount of duty chargeable on a similar certificate granted by a Civil or Revenue Court. (Art. 23).

51. Agreement between an employer and a workman employed by or under him regarding the payment of compensation under the Workmen's Compensation Act, 1923 (VIII of 1923). (Art. 5).

52. Proxy empowering a person to vote at a meeting of creditors.—Duty reduced to the rate chargeable on a proxy empowe-



ring a person to vote at any one meeting of members of an incorporated Company. (Art. 52).

53. Instrument cancelling a Will. (Art. 17).

54. Agreement or memorandum of agreement relating to the hire of a bicycle for a period of less than a week. (Art. 5).

55. Receipt given by a person, for advances exceeding Rs. 20 received by him from the State Government. (Art. 53).

56. Un attested documents of pawn or pledge of goods.

By Order of,  
His Highness the Rajpramukh.  
J. N. PUROHIT  
Secretary to the Government.

*Published in Raj. Raj-patra Dated April 2, 1955 part I (b) at page 6.*

Jaipur, March 16, 1955.

(English Translation authorised by His  
Highness the Rajpramukh).

*No.F 16 (15) SR/54.*—In exercise of the powers conferred by section 9 of the I.S. Act 1899 (No. II of 1899) as adapted to Rajasthan under the Rajasthan Stamp Law Adaptation Act 1952 (No. VII of 1952), the Government of Rajasthan is pleased to order that the Stamp duty payable on the Mortgage deed to be executed by the Municipal Board Ganganagar in favour of the Government of Rajasthan in connection with the advance of a loan of Rs. 3/- lacs (Rupees Three Lacs) to the said Board to implement their water Supply Scheme shall be reduced and only a token Stamp duty of Rs. 5/- (Rupees Five only) shall be chargeable in respect of the instrument aforesaid.

By order of  
His Highness the Rajpramukh,  
J. N. PUROHIT  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 21, 1955 part I (b) at page 137 :*

# SEPARATE REVENUE DEPARTMENT ENGLISH TRANSLATION.

(Authorised by His Highness the Rajpramukh.

## NOTIFICATION

Jaipur, May 11, 1955.

*No. F. 16 (4) SR/52* —In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act II of 1899) as adapted to Rajasthan, the Government of Rajasthan is hereby pleased:—

(i) to remit the duty chargeable under article 30 of schedule 1 to the said Act for entry as an advocate on the roll of the Rajasthan High Court from persons who, before the coming into force of the Rajasthan High Court Ordinance, 1949 (XV of 1949)—

- (a) were enrolled and practising as advocates in the High Courts of the Covenanting States on the strength of a permanent certificate, or
- (b) were so enrolled and practising on the basis of payment of an annual fee and had before such coming into force paid such annual fees aggregating to Rs. 400/- or more; and
- (ii) to reduce such duty chargeable from persons who were so enrolled and practising on the basis of payment of an annual fee and had not before the coming into force of the said ordinance paid such annual fees to the aggregate of Rs. 400/- or more, to the difference between Rs 400/- and the aggregate of the amounts of annual payments; provided that if such aggregate has exceeded Rs. 400/- after such coming into force the excess so paid shall not be refundable.

By order,  
J.N. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 28, 1955 part I (b) at page 149 :*

(English Translation as authorised by His Highness  
the Rajpramukh.)

NOTIFICATION.

Jaipur May 16, 1955.

No. F. 16 (6) SR/55.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act II of 1899) as adapted to Rajasthan The Government of Rajasthan is pleased to remit, with effect from the 1st March, 1955, the stamp duty payable on bonds required under rule 40 of the Rajasthan Land Reforms and Resumption of Jagirs Rules, 1954, to be executed by Jagirdars or their maintenance holders.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated December 31, 1955 part I (b) at page 818 :*  
English Translation

(Authorised by His Highness the Rajpramukh)

Jaipur, December 19, 1955.

No. F. 16 (17) E. & T./55.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted to Rajasthan, the Government of Rajasthan hereby remits the stamp duty chargeable on lease deeds executed by the employees, State Insurance Corporation, New Delhi, in respect of permises hired for regional, Local and Inspectorate offices of that Corporation in the State of Rajasthan.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated February 11, 1956 part I (b) at page 1077 :*

English Translation  
(Authorised by His Highness the Rajpramukh)  
Jaipur, February 6, 1956.

*No. F. 16 (15) SR/55.*—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899), as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952), the Government of Rajasthan is pleased to remit the stamp duty payable by the Income Tax Department, Government of India, on the deeds executed in Rajasthan in connection with the purchase of lands by them for the construction of Income Tax Offices in Rajasthan.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated April 14, 1956 part I (b) at page 34 :*

English Translation  
[Authorised by His Highness the Rajpramukh]  
NOTIFICATIONS

Jaipur, March 17, 1956.

*No. D. 15/I.D/E.&T./56.*—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan under the Rajasthan Stamp Law (Adaptation) Act 1952 (No. VII of 1952), the Government of Rajasthan is pleased to reduce by 50% (fifty per cent) the stamp duty payable on the agreements and mortgage deeds executed in favour of the Government of Rajasthan in connection with the advance of loan by the Government for Small-Scale and Cottage Industries.

*Published in Raj. Raj-patra Dated May 12, 1956 part I (b) at page 186-187 :*

### NOTIFICATION

Jaipur, April 30, 1956.

*No. F. 16 (21) S.R./54*—In exercise of the powers conferred by clause (a) of sub-section (i) of section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted to Rajasthan, the Govt. of Rajasthan hereby remits prospectively with effect from the date of publication of this order in the Rajasthan Gazette, the duty with which a security bond executed by or on behalf of a temporary Government servant for the payment of any advance received by him for the purchase of a bicycle, is chargeable under the said Act.

By Order of  
His Highness the Rajpramukh  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated May 19, 1956 part I (b) at page 193 :*

English Translation  
[Authorised by His Highness the Rajpramukh]  
NOTIFICATION

Jaipur, May 5, 1956.

No. D. 753/E & T/56/F. 2 (2) E & T/56.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952), the Government of Rajasthan is pleased to remit the stamp duty payable in respect of instruments executed by, or on behalf of, or in favour of, the Government of India or any State Government in cases where, but for this remission, any of the said Governments would be liable to pay the duty chargeable in respect of such instruments.

By Order of  
His Highness the Rajpramukh,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated June 2, 1956 part I (b) at page 221 :*

English Translation  
[Authorised by His Highness the Rajpramukh.]

Jaipur, May 19, 1956.

No. F. 16 (14) SR/54.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan under the Rajasthan Stamp Law (Adaptation) Act, 1952, (No. VII of 1952), the Government of Rajasthan is hereby pleased to reduce by 75% (seventyfive per cent), the stamp duty payable on the instruments executed in connection with the transfer of properties by foreign missions (Missionaries) to Indian Missions (Missionaries)

*Published in Raj. Raj-patra Dated June 16, 1956 part I [b] at page 244 :*

English Translation  
[Authorised by His Highness the Rajpramukh]  
NOTIFICATION

Jaipur, June 2, 1956.

No. F. 9 (53) S.R./54 —In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (No. VII of 1952), the Government of Rajasthan is pleased to remit the stamp duty payable by the personnel belonging to the Technical Cooperation Mission, United States of America and working in this State, any instrument executed in this State in connection with the properties for their personal or household use.

*Published in Raj. Raj-patra. Dated August 4, 1956 part I (b). at page 370-371 :*

English Translation

[Authorised by His Highness the Rajpramukh.]

Jaipur, July 27, 1956.

*No. F. 2 (8) E & T/56.*—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan under the Rajasthan Stamps Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952), the Government of Rajasthan is pleased to remit the whole of the Stamp duty payable on the bonds and mortgage deeds executed in favour of the Board of Trustees Employees' Provident Fund in Rajasthan in connection with the advance of loan by the said Board for the purchase of building sites and Building of Houses by the members of the Employees' Provident Fund.

English Translation

NOTIFICATIONS.

[Authorised by His Highness the Rajpramukh.]

Jaipur, July 21, 1956.

*No. F. 3 (13) E & T 56.*—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (No. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (No. VII of 1952), the Government of Rajasthan is pleased to remit the whole of the stamp duty payable on the bonds executed on or after 1st May, 1955 in favour of the President of India by the trainees for the courses of (i) Gram Sevikas (2) Midwives, (3) Dais and (4) Supervisory and Administrative personnel for Social and Moral Hygiene and After care Programmes conducted by the Kasturba Gandhi National Memorial Trust on behalf of the Central Social Welfare Board.

English Translation

[Authorised by His Highness the Rajpramukh.]

Jaipur, July 27, 1956.

*No. F. 2 (20) E & T/56.*—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, (Rajasthan Act No. VII of 1952) the Government of Rajasthan is pleased to reduce by 80% (eighty per cent) the Stamp duty payable on the mortgage deed to be executed in favour of the Government of Rajasthan by the Bundi Electricity Supply Co. Ltd, in connection with the over draft payment of Rs. 5,00,000/- made by the Bundi State Bank in its favour.

By Order of

His Highness the Rajpramukh,

G. S. PUROHIT

Secretary to the Government.

*Published in Raj. Raj-patra Dated September 13, 1956 part I (b) at page 242 :*

English Translation

(Authorised by His Highness the Rajpramukh)

Jaipur, September 1, 1956.

**No. F. 2 (6) E & T/56.**—In exercise of the powers conferred clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted and applied to Rajasthan and in partial modification of the notification in the Separate Revenue Department No. F. (4) SR/53, dated the 15th February, 1955 (relating to the remissions and reductions of stamp duties on certain documents) the Government of Rajasthan hereby withdraws the remissions granted items No. 8 (excluding sub-item No. (viii) thereof), 25, 27, and 29 of the said notification, with effect from the date of publication of the notification in the Rajasthan Gazette.

*Published in Raj. Raj-patra Dated December 21, 1956 part IV(c) at page 299-300*

Excise and Taxation Department

NOTIFICATION

Jaipur, December 21, 1956.

**No. F. 1 (8) SR/52.**—In exercise of the powers conferred by use (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted to the pre-Reorganisation State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act VII of 1952), the State Government hereby further amends the Notification of the Government of pre-Reorganisation in the Separate Revenue Department No. F. 49 (4) SR/55 dated the 15th February, 1955, as follows, namely:—

In the said Notification, in item 29 A. (as inserted by Notification of the said Government in the Excise and Taxation Department No. F. 16 (14) SR/55, dated 20th February, 1956) (which relates to mortgage deed of a certain class executed by the Municipal Boards in favour of the State Government), for the words 'Duty reduced to half the duty ordinarily chargeable on mortgage deeds' the words "Duty reduced to five rupees" shall be substituted.

By Order of the Governor,

G. S. PUROHIT,

Secretary to the Government.

*Published in Raj. Raj-patra Dated April 4, 1957 part I [b] at page 8 :*

NOTIFICATION

Jaipur, March 26, 1957.

**No. D. 8046/F.2 (33) E & T/56.**—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No II of 1899) as adapted in Rajasthan under the Rajasthan Stamp Law (Adaptation) Act, 1952 (No. VII of 1952), the Government of Rajasthan is pleased to reduce by 50% (fifty per cent) the stamp duty payable on the agreements and mortgage deeds executed in favour of All Indian Khadi & Village Industries Board in connection with the

advance of loan by the said Board for Small Scale & Cottage industries.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government

*Published, in Raj. Raj-patra Dated July 25, 1957 part IV (c) at page 292 :*

Excise and Taxation Department

### NOTIFICATION.

Jaipur, July 2, 1957,

No. F. 2 (6) E&T/57.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899) as adapted to the pre Reorganisation State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act VII of 1952) and of that Act as in force in the Ajmer area and the Abu area and by the corresponding law in force in the Sunel area, the State Government is hereby pleased to remit the stamp duty chargeable under the said Act on all documents to be executed or filed by displaced person under the Displaced Persons (Compensation & Rehabilitation) Rules, 1955.

By order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Rajasthan Raj-patra Dated December 26, 1957 part IV(c) at page 810*

Jaipur, December 10, 1957.

No. F. 2 (18)/E&T/56/I.—In exercise of the powers conferred by (1) section 9 of the Indian Stamp Act, 1899 (Central Act II of 1899) as applied to the Pre-reorganisation State of Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No. VII of 1952), and (2) by the corresponding Laws in force in the Abu, Ajmer and Sunel areas; and in supersession of Notification No. D. 8846/56/F. 2 (18)/E&T/56, dated the 4th May, 1957 the State Government hereby remits the stamp duty payable by a banking company in liquidation on any transfer, mortgage, assignment, certificate, affidavit, bond or any other instrument or writing whatsoever and any copy thereof.

Nothing in this Notification applies to bills of exchange, cheques, promissory notes, bills of lading; letters of credit, policies of insurance, transfer of shares, debentures, proxies and receipts.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 20, 1958 part IV [c] at page 1184.*

Excise and Taxation Department

### NOTIFICATION

Jaipur, November 5, 1958.

No. D. 5018/58/F. 49 (4) SR/53.—In exercise of the power conferred by section 9 of the Indian Stamp Act, 1899 as adapted to

Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act No VII of 1952) the State Government does hereby direct that the entries No. 15, 16, 17, 22, 23, 35, 37, 44, 52, and 55 in the notification No. F. 49 (4) SR/53 dated the 15th February, 1955 shall be deleted forthwith.

By order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.



*Notifications under*

**Indian Stamp Act, 1899.**

*Published in Raj. Raj-patra part IV (c) dated January 22, 1959 at page 1374*

Excise and Taxation Department

**NOTIFICATIONS**

Jaipur, January 2, 1959.

No. D. 5245/58/F. 2 (2) ET/56.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899), as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952, the Government of Rajasthan is pleased to remit the stamp duty payable on mortgage deeds, executed by the Central Government servants for securing the repayment of loans advanced to them for the purpose of constructing, purchasing or repairing dwelling houses under the scheme for the grant of house building advances to Central Government servants, and on deeds of reconveyance of the property mortgaged under the aforesaid mortgage deeds.

*Published in Raj. Raj-patra I (b) dated October 29, 1959 at page 336*

Excise and Taxation Department

**NOTIFICATION**

Jaipur, August 31, 1959.

No. ID. 61/59/F. 2 (7) ET/59.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (Act No. II of 1899), the State Government is pleased to remit duties so chargeable in respect of the instrument hereinafter described:—

“Sale deed by His Highness Bikaner in favour of High School Samittee, Chhapar (Bikaner) for the sale of the building (Kothi) for Rs. one lakh for the purpose of building a High School.”

By Order of the Governor,  
G. S. PUROHIT,

Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated April 14, 1960 at page 15*

Excise and Taxation Department

**NOTIFICATION**

Jaipur, December 19, 1959.

No. ID 87/59/F. 2 (29) ET/59.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act No. II of 1899) as adapted to Rajasthan by the Rajasthan Stamp

Law (adaptation) Act, 1952 (Rajasthan Act No VII of 1952) the State Government hereby reduces by half, the stamp duty payable on the mortgage deeds executed in favour of the Rajasthan Financial Corporation, Jaipur in connection with the advance of loans by the said Corporation, for a further period of two years ending the 7th January, 1962.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) at page 34*

Jaipur, July 6, 1960.

No. ID. 11/60/F. 2 (20)ET/60.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (2 of 1899) as adapted to Rajasthan; under the Rajasthan Stamp Law (Adaptation) Act 1952 (7 of 1952), the State Government hereby reduces by 50% (fifty percent) the stamp duty payable on the agreement and mortgage deeds executed in favour of the Khadi and Village Industries Commission connection with the advance of loans by the said Commission through the Khadi and Village Industries Board for the development of Khadi and Village Industries.

*Published in Raj. Raj-patra part IV (c) dated September 1, 1960 at page 315*

Jaipur, August 12, 1960.

No. F. 3 (6) E.&T./56.—In exercise of the powers conferred by section 2 (9) of the Indian Stamps Act, 1899 (Central Act II of 1899) as adapted to Rajasthan by the Rajasthan Stamp Law (Adaptation) Act, 1952 (Act VII of 1952) and of the stamp law applicable to the Sunel area immediately before its merger into Rajasthan the State Government hereby appoints the Additional Collectors in the State as "Collector", for the purposes of the aforesaid Act.

By Order of the Governor,  
RAM SINGH,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated December 8, 1960 at page 519*

Jaipur, November 18, 1960.

No. F. 2(28)F&T/60.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (2 of 1899) as adapted to Rajasthan, under the Rajasthan Stamp Law (Adaptation) Act, 1952 (7 of 1952) the State Government hereby remits the stamp duty payable on the agreements and mortgage deeds executed in favour of any Panchayat Samiti in connection with an advance of loans by it.

By Order of the Governor,  
RAM SINGH,  
Secretary to the Government.

*ifications Under,*

## INDIAN STAMP ACT, 1899.

*lished in Raj. Raj-patra part IV (c) dated February 2, 1961 at page 600*

Excise and Taxation Department

### NOTIFICATION.

*Jaipur, January 9, 1961.*

No. F. 2 (20) E. & T./60 —In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (2 of 1899) as adapted to Rajasthan under the Rajasthan Stamp Law (Adaptation) Act, 1952 (7 of 1952) and in supersession of this Department Notification No. ID ii/70/F. 2 (20) E & T/60, dated the 6th July, 1960 the State Government hereby reduces by 50% (fifty percent) the stamp duty payable on "agreements and mortgage deeds" executed in favour of the Rajasthan Khadi and Village Industries Board, Jaipur, in connection with advance of loans by the Khadi and Village Industries Commission through the said Board for the development of Khadi and Village Industries.

By Order of the Governor.

RAM SINGH,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated April 26, 1962 at page 102.*

*Jaipur, March 6, 1962.*

No. F. 2 (19) E&T/61.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899) as adapted to Rajasthan under the Rajasthan Stamp Law (Adaptation) Act 1952 (Rajasthan Act 7 of 1952) the State Government hereby remits the stamp duty payable on the transfer deed of the Treasury Savings Deposit Certificates.

*Published in Raj. Raj-patra part IV (c) dated May 17, 1962 at pages 254-255:*

*Jaipur, March 10, 1962.*

No. F. 2 (6) E. & T./62.—In exercise of the powers conferred by section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899) as adapted to the State Rajasthan under the Rajasthan Stamp Law (Adaptation) Act, 1952 (Rajasthan Act 7 of 1952) the State Government hereby remits the stamp duty payable on the deeds executed in favour of Panchayat Samitis in connection with donation of immovable properties to them for development activities.

1899], as adapted to Rajasthan by the Rajasthan Stamp Law [Adaptation] Act, 1952 [Rajasthan Act VII of 1952], the State Government hereby remits the Stamp duty chargeable under the said Act on personal bonds and security bonds under sub-rules [i] and [ii] of rule 8 of the Rajasthan Gold Smiths Rehabilitation [Loans] Rules, 1964 to be executed by Gold Smiths rendered displaced on account of Gold Control Rules, 1963.

This notification shall be deemed to have effect on and from the 24th day of December, 1964.

[Pub. in Raj. Gaz. 4 [Ga] Dt. 20-1-66 Page 521]

Finance [Rev. & Eco. Affairs] Department

[Revenue Section]

Jaipur, July 30, 1964

Notification No. F. 14 [67] FD/RT/63.IV.—In pursuance of clause [i] of sub-rule [1] of rule 2 of the Rajasthan Stamps Rules, 1955 and in supersession of this Department's Notification No. F. 14 [67] FD/RT/63-II, dated 1-1-1964, the State Government hereby directs that:—

[1] the Accounts Officer, Board of Revenue, Ajmer shall, by virtue of his office be the Superintendent of Stamps, and

[2] the said Superintendent of Stamps shall perform all the functions of the Superintendent of Stamps under the Indian Stamp Act, 1899 [Central Act 2 of 1899] as adapted to Rajasthan by the Rajasthan Stamp Law [Adaptation] Act, 1952 and the rules made thereunder.

[Pub. in Raj. Gaz. 4 [Ga] Dt. 1-10-64 Page 432]

Finance [Rev. & Eco. Affairs] Department

[Commercial Taxes Section]

Jaipur, March 22, 1966

Notification No. F. 11 [47] FD [CT]/66/I.—In exercise of the powers conferred by sub-section [9] of section 2 of the Indian Stamp Act, 1899 [Central Act 2 of 1899], as adapted by the Rajasthan Stamp Law (Adaptation) Act, 1952 [Rajasthan Act 7 of 1952], the State Government hereby appoints the Superintendent, Registration and Stamps, Rajasthan, in virtue of his office, to be Collector for purposes of S. 61 of the said Act, for the whole of the State of Rajasthan.

[Pub. in Raj. Gaz. Ex. 4 [Ga] Dt. 22-3-66 Page 1233]

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*Rules and Notifications under*

RAJ. STATE AID TO INDUSTRIES ACT, 1961

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# RAJ. STATE AID TO INDUSTRIES (LOANS) RULES, 1963

*Notification No. F. 29 (28) Ind./ (A)/61.*—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan State-Aid to Industries Act, 1961 (Act 25 of 1961), the State Government hereby makes the following rules regulating State-Aid to certain industries by granting loans, namely:—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan State Aid to Industries (Loans) Rules, 1963.

(2) They shall extend to the whole of the State of Rajasthan.

(3) They shall come into force atonce.

2. *Application.*—These rules shall apply to the grant of loans by way of State aid to Cottage Industries and Small Scale Industries in the State, as defined in the Act.

3. *Repeal and Savings.*—As from the commencement of these rules the Rajasthan State Aid to Small Scale and Cottage Industries Rules, 1959, shall stand repealed and superseded by these rules but not so as to affect their previous operation or any transactions finally made thereunder before the coming into force of these rules.

4. In these rules, unless the subject or context otherwise requires:—

(i) “Act” means the Rajasthan State Aid to Industries Act, 1961;

(ii) “Form” means a Form specified in the schedule to these rules;

(iii) “Loan Committee” means the Loan Committee constituted under rule 17; and

(iv) words and expressions not defined in these rules but in the Act shall have the meanings respectively assigned to them under the Act.

5. *The purpose for which loans may be granted.*—Loans may be granted under these rules for the following purposes, namely:—

(i) construction of buildings, godowns, warehouses, wells, tanks and other works necessary for industrial operations;

(ii) purchase of land for industrial purposes;

(iii) purchase and erection of machinery, plant and appliances ;

(iv) purchase of raw materials ; and

(v) utilisation as working capital.

6. *Applications for loans.*—(1) Applications for loans shall be made by the Industrial Co-operative Societies in Form 1A and by individuals or other registered bodies in Form 1-B, which forms can be had from any of the officers mentioned below :—

(i) Director of Industries and Supplies, Rajasthan ;

(ii) Regional Deputy Directors of Industries ;

(iii) District Industries Officers ;

(iv) Registrar, Co-operative Societies or Assistant Registrars, Co-operative Societies ;

(v) Manager, Industrial Estates ;

(vi) Managing Director, Rajasthan Financial Corporation and

(vii) Project Officers, Rural Industrialisation Projects

(2) Applications shall be made in writing to the District Industries Officer or the Regional Deputy Director of Industries (where there is no District Industries Officer) and in the case of applications by Industrial Co-operative Societies, to the Assistant Registrar of Co-operative Societies concerned or Project Officers who will forward the same with his report and recommendation to the authorities concerned to whom powers for sanctioning loans have been conferred under rule 8 of these rules.

(3) In the case of Industrialists whose factories are located in an Industrial Estate, such application shall be made to the Manager of the Industrial Estate concerned who shall forward the same with his report and recommendation to the authorities competent to sanction loans under rule 8 of these rules.

(4) An application for a loan out of the funds placed in accordance with these rules at the disposal of Rajasthan Financial Corporation may be made direct to the said Corporation.

7. *Documents to accompany applications.*—Every application for loans shall be accompanied by :—

(i) a full description of the property together with the copies of sketches of the same which the applicant proposes to offer as security for the loan applied for ;

(ii) an affidavit in Form II to the effect that property is owned by the applicant and is not subject to any encumbrance

or charge or any interest or claim by way of inheritance, gift, or otherwise; and

(iii) an affidavit in Form III as to the capital invested or to be invested in the industry including the value of rented premises, if any, but excluding the amounts spent on housing and amenities for workers shall not exceed five lacs of rupees and in case it does prior intimation of the same shall be given to the Government.

8. *Authorities competent to sanction loans.*—Loans shall be sanctioned by the authorities specified below :—

(i) loans to the extent of Rs. 5,000/- in each case may be sanctioned by a Committee consisting of—

(a) the Collector of the District as Chairman;

(b) the Pramukh of the Zila Parishad concerned as member ;

(c) the District Industries Officer concerned as Member-Secretary ;

(ii) loans of any amount exceeding Rs. 5000/- but not exceeding Rs. 10,000/- in each case may be sanctioned by the Director of Industries & Civil Supplies, Rajasthan, Jaipur;

(iii) loans for amounts exceeding Rs. 10,000/- but not exceeding Rs. 50,000/- may be sanctioned by the Loan Committee ;

(iv) loans exceeding the limit prescribed in clause (iii) above may also be examined by the aforesaid Loan Committee and the Registrar, Co-operative Societies as the case may be and necessary recommendation shall be made to the State Government ;

(v) loans to the extent specified in clause (iii) may also be sanctioned in accordance with these rules by the Rajasthan Financial Corporation for and on behalf of the State Government as its agent out of such percentage of the funds of the Block Loans as State Government may decide to place at the disposal of the said Corporation for disbursement under and in accordance with these rules ;

(vi) loans up to Rs. 50,000/- to Co-operative Societies shall be granted by the Registrar, Co-operative Societies or the Central Co-operative Bank out of the funds placed by the State Government at the disposal of the Registrar, Co-operative Societies ;

(vii) for implementation of Rural Industrialisation Programme the State Level Coordination Committee and the Project Committees may sanction loans not exceeding Rs. 1.00 lacs and Rs. 10,000/- respectively in each case.



9. *Limitation to the power of sanctioning loans.*—The power to sanction loans conferred on the authorities specified in rule 8 shall be subject to the following limitations, namely :—

(i) not less than 50 per cent of the total amount allocated for being advanced by way of loans under and in accordance with these rules within a district shall be so advanced within the local limits of the Panchayat Samitis in that district, and

(ii) the maximum amount of loans sanctioned in any one case shall not, subject to the other provisions contained in the rules, ordinarily exceed :—

(a) in the case of any individual— Rs. 25,000/-

(b) in the case of a registered firm,  
body or company— Rs. 50,000/- and

(c) in the case of Industrial Co-operative Societies upto— Rs. 50,000/- and

in exceptional cases by the Government up to Rs. 1 lac in each case but in no case the amount of loan shall exceed the maximum credit limit of the Industrial Co-operative Societies concerned ; and

(d) loans exceeding Rs. 50,000/- shall be sanctioned by the State Government.

10. *Disposal of applications.*—(1) The Officers authorised under rule 6 to receive applications for loans shall, on receipt of the application, get the same entered in the register maintained in Form IV, complete all preliminary enquiries and forward the application with his recommendation to any of the following authorities as the case may be :—

(i) the Collector of the District concerned where the loan recommended does not exceed Rs. 5,000/- ;

(ii) the Director of Industries and Civil Supplies, Rajasthan in case the loan recommended exceeds Rs. 5,000/- ;

(iii) the Rajasthan Financial Corporation ; and

(iv) the Registrar, Co-operative Societies where the loan is to be granted to Industrial Co-operative Societies.

(2) The Director of Industries and Supplies, Rajasthan shall pass on the application to the Secretary, Loan Committee, constituted under rule 17 all applications for loan for an amount exceeding Rs. 10,000/-.

(3) The Secretary of the said Loan Committee shall submit all such applications together with a consolidated statement to the Loan Committee at its next meeting.

(4) The Collector or the Director of Industries and Civil Supplies, Rajasthan, as the case may be, may in his discretion

pass on any such application to the Rajasthan Financial Corporation for advancing, in accordance with these rules, loan for and on behalf of the State Government as its agent.

(5) The Registrar, Co-operative Societies may sanction loans and arrange disbursement thereof direct or through the Central Co-operative Bank at his discretion.

11. *Security for loans.*—(1) Loans up to Rs. 1,000/- may be advanced on personal bonds furnished in Form V provided in the case of Poultry farm loan will be given against a surety or tangible securities of equal amount.

(2) Loans exceeding Rs. 1,000/- but not exceeding Rs. 5000/- may be advanced on the security of one or two sureties furnished in Form VI provided in case of Poultry farm loan will be given against tangible security of equal amount.

(3) Loans in excess of Rs. 5,000/- in each case may be advanced against any one or more of the securities mentioned below:—

(i) 75 per cent of the market value of any of the securities mentioned in section 20 of the Indian Trusts Act, 1882 (Central Act 2 of 1882);

(ii) 75 per cent of the market value of new machinery, plant and, buildings ;

(iii) 50 per cent of the market value of the old machinery plant, buildings and lands ; and

(iv) 75 per cent of the value of the plant, machinery and buildings to be purchased or constructed with money advanced under these rules.

(4) In the case of an Industrial Co-operative Society, no security shall be needed for the advance of a loan not exceeding the maximum credit limit of the Society, and if the amount of the loan recommended to be advanced exceeds such credit limit, excess amount will be advanced on the security of 75% of the market value of new machinery, plant, buildings or of 50% of the market value of the old machinery, plant, buildings and lands of such society.

12. *Valuation certificates of securities.*—(1) For the purpose of rule 11, certificates verifying the solvency of the sureties may be accepted from :—

(i) the Tehsildars in Form VII in respect of personal bonds or the value of lands and buildings of the sureties,

(ii) the District Industries Officer or the Regional Deputy Director of Industries or the Director, Small Industries Service Institute in Form VIII in respect of the value of the plant and machinery.

(2) In the case of Industrial Co-operative Societies, the Assistant Registrar, Co-operative Societies while forwarding the application to the District Industries Officer, who will enclose therewith in Form IX :—

- (i) a certificate mentioning the maximum credit limit fixed for the Society,
- (ii) a certificate to the effect that individual members of the Societies have not taken any loan separately,
- (iii) a copy of the latest balance sheet and profit and loss account of the society, and
- (iv) a memorandum of his own views regarding the working of the Society.

(3) The Officers mentioned in sub-rules (1) and (2) above will give a certificate in Form X, showing that the property offered as security is unencumbered.

(4) The State Government may at any time reevaluate the securities and in case any security taken has, in its opinion, become inadequate or insufficient, it may require the borrower to furnish additional security.

13. *Insurance of mortgage properties.*—(1) The applicant shall within the period of three months from the date of the receipt of the loan amount get all the properties mortgaged by him or it to the State Government insured against loss or damage by fire, riot, civil commotion and the like with an Insurance Company approved by the State Government and shall assign the policy to the State Government and deposit the same with the authority sanctioning the loan.

(2) In the event of any default in insuring the property as required by sub-rule (1), the authority competent to sanction the loan shall get the mortgaged property so insured at the expenses of the borrower to be recovered alongwith the next instalment of the loan.

14. *Sanction of the loan to be communicated to Audit.*—All sanctions of loans granted under and in accordance with these rules shall be communicated in Form XI to Audit by:—

(i) the Secretary, Loan Committee, where loans are granted by the Loan Committee;

(ii) the Director of Industries or any officer authorised by him in this behalf, where loans are sanctioned by the Director of Industries, Rajasthan;

(iii) the District Industries Officer or Regional Deputy Director of Industries and Supplies where loans are sanctioned by the Committee under sub-rule (1) of rule 8;

(iv) the Secretary, Rajasthan Financial Corporation, where loans are sanctioned by the said Corporation for and on behalf of the State Government as its agent under these rules;

(v) the Registrar, Co-operative Societies, Rajasthan, where loans are granted to Industrial Co-operative Societies; and

(vi) the Project Officers concerned where loans are granted by the Project Committees and by the Member Secretary of the State Level Co-ordination Committee where loans are granted by this Committee.

15. *Disbursement of loans*—After a loan is duly sanctioned, the authority sanctioning the loan shall send copies of the sanction to the District Industries Officer or the Regional Deputy Director of Industries and disburse the loan after the borrower executes the necessary documents and the mortgage deed in Form XII and gets these documents registered, where necessary. The authority sanctioning the loan may, at his discretion, advance the loan in instalments according to the actual requirements of the borrower for the purpose for which the loan has been sanctioned. The authority disbursing the loan shall maintain loan ledger in Form XIII.

16. *Loans through Rajasthan Financial Corporation or Registrar, Co-operative Societies*.—(1) Applications forwarded to the Rajasthan Financial Corporation/Registrar Co-operative Societies, Rajasthan, under rule 10 as well as applications received direct by the said Corporation/Registrar, Co-operative Societies under sub-rule (4) of rule 6 shall be scrutinised and loans shall be granted according to these rules by the said Corporation/Registrar Co-operative Societies, Rajasthan, as the case may be, who may also constitute a sub-committee for the purpose of granting loans. The Secretary, Loan Committee may be taken as a member of such sub-committee.

(2) A subsidy not exceeding 2 per cent of the total amount disbursed by way of loans shall be given by the State Government to the Rajasthan Financial Corporation or the Central Co-operative Bank, as the case may be, to cover their administrative charges.

17. *Loan Committees*.—(1) The State Government shall for the grant of loans referred to in clause (iii) of rule 8, appoint a Committee consisting of the following :—

- |   |                 |
|---|-----------------|
| (i) Minister for Industries                                     | President       |
| (ii) Dy. Minister for Industries                                | Vice-President. |
| (iii) Two non-officials to be nominated by the State Government | Members.        |
| (iv) Finance Secretary to the State Government or his nominee   | Member.         |

(v) Secretary/Dy. Secretary, Industries & Supplies	Member.
(vi) Director of Industries & Civil Supplies	Member.
(vii) Registrar, Co-operative Societies or his nominee	Member.
(viii) Dy. Development Commissioner	Member.
(ix) Director, Small Industries Service Institute	Member.
(x) Jt. Director of Industries and Civil Supplies.	Member.

18. *Allocation of funds for the loans.*—(1) In the beginning of each financial year, the State Government shall allocate separately to the Loan Committee, the Rajasthan Financial Corporation, and the Registrar, Co-operative Societies or the Central Co-operative Bank, funds for the grant of loans under and in accordance with these rules for and on behalf of the State Government.

(2) The Loan Committee shall further sub-allocate suitable amount from out of these funds placed at its disposal for disbursement by way of loans under these rules by Director of Industries and Civil Supplies and the Collector of Districts.

19. *Period of Loans.*—(1) Every loan together with interest thereon shall be re-payable in seven annual equated instalments, the first instalment falling due after two years from the date of disbursement of the first instalment of the loans :

Provided that a borrower may repay the loan on an earlier date or in larger instalments :

Provided further that an extension not exceeding one year to the date of the payment of any instalment in exceptional circumstances can be granted by the State Government on the recommendation of the authority which sanctioned the loan, subject to the condition that the total period of loan shall in no case, exceed ten years from the date of its disbursement or from the date of the payment of last instalment.

(2) The amount of instalments of the loans alongwith the interest accrued due thereon, to be recovered annually shall be fixed in whole rupees except in the case of last instalment when the balance shall be recovered:

20. *Rates of interest payable.*—(1) The rate of simple interest payable in respect of a loan granted under these rules shall be 3 per cent per annum for individuals and Industrial Undertakings and  $2\frac{1}{2}\%$  per annum in the case of Industrial Co-operative Societies, provided that interest at market rate shall be payable in respect of loans exceeding Rs. 50,000/- if granted under these rules to individuals and Industrial Undertakings.

(2) The interest at the rates specified in sub-rule (1) shall be charged on the balance of the loan outstanding on the last day of each year.

21. *Recovery of loans in default of instalments.*—If any instalment or part thereof of the amount of the loan along with the interest accrued due thereon, remains unpaid after the due date, such moneys with costs, if any, or if so directed by the Director of Industries and Civil Supplies, Rajasthan for reasons of continuing default, the entire balance of the loan with costs, if any, and the amount of interest till then accrued due thereon, shall be recovered with simple interest at the rate of 9% per annum from the date of such default till the date of actual repayment, under the provision of Rajasthan Public Demand Recovery Act, 1952.

22. *Recovery of loan utilised for purpose for which it was not granted.*—(1) It shall be over-all responsibility of the District Industries Officer/Regional Deputy Directors of Industries & Supplies/Assistant Registrar, Co-operative Societies concerned to see that all loans disbursed under these rules are expended for the purpose for which they were granted within a period of six months or within such further period not exceeding six months as may be extended by the authority by whom the loan was sanctioned. The District Industries Officers, Assistant Registrar, Co-operative Societies, Regional Deputy Directors of Industries and Supplies concerned shall see that the necessary certificate in Form XIV of having utilised the loan within the time prescribed in this rule, is obtained from the loanee and forwarded to the authority sanctioning the loan.

(2) If it is found that a loan is not being applied to the purpose for which it was granted, the Director of Industries and Civil Supplies, Rajasthan, on his own motion, or on the recommendation of the Managing Director, Rajasthan financial Corporation, the Registrar, Co-operative Societies, Rajasthan, the District Industries, or the Regional Deputy Directors of Industries & Supplies concerned, shall take action for the recovery of the entire loan or the balance thereof and all moneys outstanding against the borrower by way of interest and otherwise together with simple interest at the rate of 9% per annum from the date of the order of recovery under this sub-rule till the date of actual repayment.

23. *Inspection and audit.*—(1) The borrower shall permit the Director of Industries and Civil Supplies, Rajasthan, or the Regional Deputy Director of Industries and Supplies or the Managing Director, Rajasthan Financial Corporation, or the Collector of the District or District Industries Officer or the

Assistant Registrar of Co-operative Societies concerned or the Accountant General, Rajasthan or any person authorised in this behalf by them, or by State Government, at all reasonable times, to inspect the premises, account books, machinery, plants appliances, furniture, stocks, stores and all other belongings and things concerned with the Industrial Undertakings in respect of which the loan has been granted, to grant all reasonable facilities for such inspection or audit as and when conducted by the Accountant General, Rajasthan or any officer authorised by him in this behalf.

(2) The borrower shall submit to the authority sanctioning loans by the 15th day of January and 15th day of July every year, half yearly reports regarding the working of the Industries containing detailed accounts showing how the loan amount has been utilised and generally stating how production and employment have been effected by the grant of loan.

24. *Property acquired out of the loans to be properly maintained.*—(1) A building, godown, or warehouse, constructed or purchased, or any machinery, plants, appliances of furniture purchased out of the loan granted under these rules shall be maintained in good and efficient repair to the satisfaction of the authority sanctioning the loan.

(2) The authority sanctioning the loan may on its own motion, or on the recommendation of the Regional Deputy Director of Industries and Supplies or the District Industries Officer of the district concerned, make order that any such building, godown, warehouse, machinery, plant, appliances or furniture as are referred to in sub-rule (1) shall be repaired, reconstructed or renewed at the cost of borrower and if borrower fails to carry out such order, the loan or any balance thereof and all moneys outstanding against the borrower on account of such loans and interest accrued due thereon shall become repayable at once under the Rajasthan Public Demand Recovery Act, 1952.

25. *Application of the general financial account rules.*—The rules contained in Articles 357 to 361 of the General Financial and Accounts Rules as in force in the State of Rajasthan and relating to the conditions of repayment of loans, calculations of interest, default in payments thereof and enforcement of enhanced rates of interest on over-due instalments shall apply to all loans advanced under these rules, in so far as they are not inconsistent with these rules.

26. *Interpretation of these rules.*—If any difficulty arises in the application or interpretation of any of these rules, it shall be decided by the State Government whose decision thereon shall be final.

The Rajasthan State Aid to Industries  
(Loans) Rules, 1963.

Form (A)

(See rule 6)

Form of application for Loans for Working Capital by Industrial Co-operative Societies (In filling up this, please give full information in respect of each item. If the space in the body of application is found to be inadequate, separate sheets may be attached to the application as appendix).

1. Name and address of the Society with Tehsil and District.

2. Whether N. E. S./C. D./P. P/ P. I. Blocks.

3. Number and date of registration.

4. Membership:—

(a) (i) At the time of registration.

(ii) At the time of submitting loan application.

(b) Number of backward class members, if any.

(c) (i) Number of artisan members.

(ii) Since how long they are engaged in this industry.

Also state the experience if they have any.

(iii) Number of sympathisers of other members, if any.

5. Name of the Industry/Industries conducted by the Society,

6. Name of Industry for which loan is applied for.

7. Number of members who can follow this industry and number of members to be engaged with the help of financial assistance applied for.

8. Details regarding tools and equipments available with the members individually for carrying on the industry or with the society.

9. Where does the society propose to work?

10. Is the industry or business already started by the Society, if so, give the date of starting the Industry/Business and state how the Society, is functioning and/or proposes to function i. e. whether it proposes to work purely as a producer society or whether it proposes to grant loan to its members in cash or in kind and if so on what terms.

11. Total turn-over till the date of application.

12. Total requirements of the Society:—

(a) Tools Equipment.

(b) Raw Materials.

(c) Working Capital.

(d) Building and Godowns etc.



(e) Other purposes

13. Amount of loan applied for :—

(a) Names, specification, approximate cost of tools, implements and machinery required ( in case quotations have been invited copies of the same may be attached).

(b) The quantity and value of raw material.

(c) Working capital (Give break-up and full details).

(d) Construction of godowns, building etc. ( Give full details )

14. (a) Sources of raw materials ( Whether local, provincial or to be purchased from outside. Please state names and places).

(b) Market for finished goods.

15. Approximate cost of production and estimated profits per unit, per dozen kilogram, quintal etc. ( Please give the current market price as on the date of application).

16. Capital already invested in the industry for which financial assistance as applied for showing separately investment in buildings, plants and machinery :—

(a) Fixed capital for the purchase of raw material, payment of wages etc.

(b) Working capital for the purchase of raw material payment of wages etc.

(c) Annual turnover of the existing business.

17. Loans outstanding with members on the date of Audit. Has any amount from this loan become over due ?

18 Please enclose the balance-sheet of the Society as on last audit or 30th June preceding whichever is later and a trial balance as on the date of application giving the following information :—

(a) Share Capital.

(b) Reserve Fund.

(c) Building Fund

(d) Deposits from members.

(e) Profit, if any.

(f) Accumulated loss.

(g) Current loss.

19. Assistance already received from :—

Loan, subsidy or Grant
Total

(i) Industries Department.

(ii) Rajasthan Khadi Board.

(iii) Block Authorities.

[iv] Central Co-operative Bank.

[v] Any other source.

20. Is there any paid manager or secretary of the society and if so state his experience :—

21. (a) Date of last audit and audit classification:

(b) Date upto which the accounts of the Society have been audited.

(c) If the Society is placed in 'C' or 'B' class, indicate the reasons for the same and state the steps taken to improve the affairs of the Society.

(d) Has there been any misappropriation in the Society and if so give the names of persons responsible for the same and the steps taken for recovery of misappropriated amount.

22. Please enclose a copy of the Managing Committee's resolution authorising the Chairman and Managing Committee's Members to apply for them and obtain the amount of loan and/or subsidy for capital etc.

23. Any other information.

Attestation by the Inspector  
Co-operative Societies.

Signature of the member  
of Managing Committee.

Signature of the Chairman of the Society  
Signature of the Secretary of the Society

The case has been examined and it is recommended that a loan of Rs ..... may be sanctioned.

The Tehsildar ..... has verified that the movable property immovable property offered by the applicant as security is estimated at Rs.

It is owned by ..... and is free from encumbrances/is encumbered to the extent of ..... A true copy of the Tehsildar's verification of property is enclosed.

Registrar, Co-operative Societies  
District Industries Officer

Regional Deputy Director of Industries  
and Supplies

The case has been examined and it is recommended that a loan of Rs ..... may be sanctioned.

Registrar, Co-operative Societies,  
Director of Industries and Supplies Rajasthan,  
Jaipur.

## ACKNOWLEDGEMENT

Received from Shri/M/s ..... application for grant of loan of Rs ..... under the provisions of Rajas-

than State Aid to Industries (Loan) Rules, 1963, for advance of loan for developing Cottage and Small Scale Industries. The application has been registered under number .. .....which may be quoted in all future correspondence to facilitate reference.

Registrar, Co-operative Societies,  
Director of Industries and Supplies, Rajasthan,  
Jaipur.

The Rajasthan State Aid To Industries (Loans)  
Rules, 1963

Form 1 (B)

(See rule 6)

Form of application for loans by Individuals/Registered  
Bodies.

To

The Director of Industries, and Civil Supplies, Rajasthan,  
Jaipur.

The District Industries Officer

The Regional Deputy Director of Industries.....

The Registrar, Co-operative Societies, Rajasthan, Jaipur.

The Assistant Registrar, Co-operative Societies ....

The Manager, Industrial Estate .. .. .

The Managing Director, Rajasthan Financial Corporation

Jaipur.

The Project Officer, Rural Industrialisation Projects

Dear Sir.

I/We.....beg to apply for a loan  
of Rs..... only for the development of.....  
(name of Industry) under Rajasthan State Aid to Industries  
(Loan) Rules, 1963 for advance of Loans for developing Cottage  
and Small Scale Industries. The required particulars are given  
below :—

1. Name of the applicant with father's name.

(i) Name and nature of the applicant's concern alongwith  
principal place of business and location :—

(a) Name of village.

(b) Name of Tehsil.

(c) Name of N/E. S./ C. D./P. P./P. I. Block.

(d) Name of District.

(ii) Whether sole proprietorship/Joint Hindu Family/  
partnership/Company.

2. Name and Nature of Industry.

3. When was it started?

4. Motive Power used—Electricity/Steam/Diesel/Gas/Water/Manual.

5. Existing annual manufacturing capacity with cost under each item of manufacture.

6. Average number of workers employed per month :—

1. Skilled.

2. Unskilled.

7. For how long applicant has been in manufacturing line ?

1. Technical qualifications.

2. practical experience.

8. Plant, Machinery and tools in use may be given:

S. No	Description	Make	Date of purchase	Depreciated Cost	Net Value
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9. Raw material used :—

(a) Their source.

(b) Average yearly quantity and cost of the material used.

10. Market for finished products (whether local or outside)

11. Total proposed investment :—

(i) Amount of loan required.

(ii) Amount invested or to be invested by the applicant (s) from his or their resources.

12. Current borrowings :—

(i) From any of the Government department.

(ii) From any of the State Boards.

(iii) From State Finance or any other Corporation or Rehabilitation department of State/Government of India.

(iv) From Banks or other Money Lenders.

(v) Details of mortgages and other charges if any on present and future assets of the applicant.

13. Purpose for which loan is required with detailed scheme thereof :—

(a) For purchase of land.

(b) For construction of building, godown, etc.

(c) For purchase of machinery, plant etc. (quotations from three firms of standing be given with description and make thereof).

(d) For purchase of raw materials.

(e) For other incidentals not included above.

14. Nature of security offered :—

(i) In case of property, the particulars of property or properties proposed as security against the loan asked for (Please give name of the owner, area, boundaries, market value and plan of the property).

(ii) In case of personal surety the name and full address of the surety as also the description of property owned by him with the market value.

15. Attested Certified copies of the :—

(i) Balance-sheet.

(ii) Profit and Loss statement for the last three years.

16. Likely increase in production in respect of each item of manufacture as a result of grant of loan.

17. Likely increase in employment.

18. The difficulties, if any, experienced by the applicant in making the industry a success.

Signature of the applicant.

I have examined the case of the above applicant and find that the industry viz .....has good scope of development in this area. I recommend that a loan of Rs.....for the following purposes will help the applicant in developing the industry and may be granted :—

(a) for machineries Rs .....

(b) for raw materials Rs.....

(c) for other incidentals Rs.....

I have satisfied myself that the applicant has the necessary technical \*knowhow/the necessary experience of running the industry for which loan is recommended,“(.....)”.  
.....)

The Tehsildar..... has verified that the movable property/immovable property offered by the applicant as security is estimated at Rs.....The property is owned by ..... who agrees to pledge it as security and it is free from encumbrances/is encumbered to the extent of .....  
.....A true copy of the Tehsildar's verification of property is enclosed.

Signature of Regional Dy. Director of Industries/  
District Industries Officer.

\*Special technical or other experience of the applicant may be stated.

The case has been examined and it is recommended that a loan of Rs.....may be sanctioned by the Loan Committee.

.....  
Director of Industries and Civil Supplies,  
Rajasthan, Jaipur.

## ACKNOWLEDGMENT

Received from Shri/M/s ..... application for grant of loan of Rs ..... under the provisions of Rajasthan State Aid to Industries (Loan) Rules, 1963 for advance of loan for developing Cottage and Small Scale Industries.

The application has been registered under Number ..... which may please be quoted in all future correspondence to facilitate reference.

Director of Industries and Civil Supplies,  
Rajasthan. Jaipur.

*N. B.—1.* In case of individual of sole proprietorship concern the following particulars should be given :—

- (i) Name and parentage.
- (ii) Complete residential address.

*N. B.—2.* In case of Joint Hindu Family the following particulars should be given :—

- (i) Name, parentage and caste of the Karta.
- (ii) Complete residential address of the Karta.
- (iii) Name, parentage and age of each member of the Joint Hindu Family and his relation with Karta.

*N. B.—3.* In case of a firm the following particulars should be given :—

- (i) Whether registered under Indian Partnership Act, 1932.
- (ii) Number and date of registration.
- (iii) Year of establishment.
- (iv) Registered address.
- (v) List of partners with their names, parentage, caste and complete address.

*N. B.—4.* In case of a company registered under Indian Companies Act, 1956 the following particulars may be given :—

- (i) Whether private or public limited.
- (ii) Number and date of registration.
- (iii) Registered address.

The Rajasthan State Aid to Industries (Loan)  
Rules, 1963

## FORM II

(Form of affidavit under clause (ii) of rule 7)

I/We solemnly declare that the land and building herein-after described and offered on security for the due repayment of loan granted to me/us under the Rajasthan State Aid to

Industries (Loan) Rules, 1963 is un-disputedly owned by me/my surety and that the said land/building or machinery (detailed in the annexed schedule) offered as security is free from encumbrances/charge or any interest or claim by way of inheritance and shall not be transferred by sale, gift, exchange, mortgage or otherwise till complete repayment of the loan.

Signature of the Loanee.

Signature of the surety.

Witness. I

Witness. II

(Description of land/building/machinery)

I/We solemnly verify that the contents of the above affidavit are true to the best of my/our information or on the information of Shri which I/we believe to be true.

Signature of the Loanee

Signature of the surety.

Witness. I,

Witness. II

The Rajasthan State Aid to Industries (Loans)

Rules, 1963

FORM III

(Form of affidavit under clause (iii) of rule 7)

I/We firmly declare that the Capital invested by me/us in the Industrial concern known as ..... and run by me/us including the value of rented premises, if any, but excluding the amount spent on housing or amenities for workers does not exceed Rupees four/ five lacs and that the Government shall be informed, as and when, due to additional investment the total amount invested exceeds five lacs.

Signature of the applicant.

I/We do hereby verify that the contents of the above affidavit are true to the best of my/our information or on the information of Shri believed to be true.

Signature of the applicant.





the starting..... industry, at..... and whereas the Government has agreed to advance the said loan payable as aforesaid, on the terms and conditions hereinafter contained, and on the further condition that the repayment is secured by a promise by the surety to discharge the liability of the borrower in the manner hereinafter described.

**NOW THIS BOND WITNESSETH AS FOLLOWS:—**

1. In pursuance of the said agreement and in consideration of the said sum of Rs. .... to be advanced by the Government to the borrower as aforesaid the borrower and the surety hereby covenant with the Government as follows:—

(1) The borrower and the surety shall repay to the Government the said sum of Rs. .... by six instalments of Rs. .... each and the last instalments of Rs. .... payable on the following dates:—

Instalments	Due date
1st instalment.	.....
2nd instalment.	.....
3rd instalment.	.....
4th instalment.	.....
5th instalment.	.....
6th instalment.	.....
7th instalment.	.....
	_____
	Total _____

(2) The borrower shall pay the Government simple interest at the rate of 9 per cent per annum on the said sum of Rs. .... (less amount repaid) and on such amount as might have accrued in arrears for interest :

Provided that where any instalment is paid on the due date, the Government shall accept interest at the prescribed rate instead of nine per cent on the amount of that instalment, if paid along with the interest due.

(3) The surety shall along with the borrower be liable for repayment of the said sum of Rs. .... and interest thereon as aforesaid, in the manner described in sub-clauses (1) and (2) above, and the liability of the surety and borrower shall be joint and several.

(4) The borrower shall start/has already started the said ..... industry at..... within four months from the date on which the said sum of Rs. .... is received by him from the Government and shall always keep the

said industry running unless prevented from doing so by lawful cause or excuse as to the existence of which the Government's decision shall be final.

(5) The borrower shall use the said sum of Rs ..... to be advanced by the Government only for the purpose of the said industry and for no other purpose.

(6) The borrower shall, within.... months from the date hereof invest in the said industry from his own resources a sum which shall not be less than the amount received by him from the Government hereunder.

(7) The borrower shall keep proper and regular accounts of the running of the said industry in the form in which accounts are kept by men of business, and shall for every month of the English Calendar, send a monthly progress report of the Industry and trial balance within not less than 10 days of the end of the month, to the Director of Industries & Civil Supplies of the Government or to such other officers in such form as may be prescribed from time to time by the Government.

(8) The borrower shall allow the Director of Industries and Civil Supplies, Rajasthan, Jaipur or the Accountant General, Rajasthan or any person authorised by the Government or by the said Director/Accountant General to inspect the working of the said industry at all reasonable times, and for that purpose to enter its premises and examine and take copies of the records of the borrowings and shall also allow the Accountant General or any other officer authorised by him to audit the accounts maintained by the borrower.

(9) If and so often as the borrower or the surety shall commit breach of any of the covenants contained in sub-clauses (1), (2), (3), (4), (5), (6), (7) and (8) above or clause 2 below the whole of the said sum of Rs..... plus interest at the enhanced rate and less amounts that might have been repaid by the borrower shall if such notice is given in writing by the Government to the borrower, become due and payable with effect from such date as may be mentioned, in that notice, the borrower and the surety shall be jointly and severally liable to pay the same.

2. For the consideration aforesaid and in further pursuance of the aforesaid agreement, the borrower hereby agrees that he shall execute in favour of the Government a deed of hypothecation of all machinery, furniture, apparatus or other assets purchased or created out of the said amount to be advanced by the Government or if a building is created or purchased then a deed of simple mortgage of the building, as further security for the repayment of the said amount and that the said deed

will be executed within two months of the creation or purchase of the machinery, furniture, apparatus or other assets or of the building (as the case may be) and that all expenses of the deed shall be borne by the borrower.

### Form VII

(Solvency Certificate under clause (i) of sub-rule (1) of rule 12)

I have made necessary enquiries regarding Shri .....  
..... and on the basis of his business,  
reputation, status and financial standing certify that he is  
solvent to the extent of Rs ...../- which amount he has  
requested to be granted to him as loan under the Rajasthan  
State Aid to Industries (Loans) Rules, 1963 for the development  
of an Industry ..... viz ..... at .....

Tehsildar

3. It is hereby further agreed and declared—

(1) that all amounts that might become due hereunder to the Government whether by way of principal or interest or otherwise may be recovered in accordance with the provisions of the Rajasthan Public Demands Recovery Act, 1952 (Rajasthan Act V of 1952) and that this right shall be in addition and without prejudice to the rights conferred by other provisions herein contained and shall be available in respect of the liabilities both of the borrower and of the surety.

(2) that the stamp duties payable in respect of this bond shall be paid by the borrower; and

(3) that the expressions "borrower" and "surety" herein used shall, where the context so admits, include the heirs, executors and administrators of the borrower and of the surety respectively.

In witness whereof this bond has been signed by the borrower by the surety and by the ..... on behalf of the Government, the day and year hereinabove mentioned.

Signed by the borrower

Address: .....

Witness 1.....

Address: .....

Witness 2.....

Signed by order of and on behalf of Governor of Rajasthan.

Address: .....

Witness 1.....

Address: .....

Witness 2.....

Address: .....

Signed by surety .....

Address.

Witness 1.....

Address.

Witness 2.....

Address.

## Form VIII

(Security valuation certificate under clause (ii) of sub-rule (1) of rule 12).

It is hereby certified that the land/Building/Machinery, details given below, offered as security by Shri ..... who has/have applied for grant of sum of Rs. ..../- as loan under the Rajasthan State Aid to Industries (Loans) Rules, 1963, has/have been personally inspected by me, and is, on the basis of enquiries made, and documents produced belong (s) to Shri ..... or/the extent of the applicant's right over the same is limited to.....and is estimated to cost Rs....nearly:—

## I—LAND :

1. Khasra No.
2. Village.
3. Area.
4. Kind of land.
5. Person in whose name the land is registered, and the extent of applicant's right of the same.
6. Details of encumbrances, if any.

## II—BUILDING :

1. Description of the building.
2. Location and boundaries—with site plan.
3. Plinth Area and height of the building.
4. No. of rooms etc.
5. Person to whom the buildings belongs and the nature or extent of the applicant's right over the same.
6. Encumbrances and the extent of these encumbrances.
7. Net estimates value.

## III—MACHINERY :

1. S. No.
2. Name of machinery and equipment with specification.
3. Make with No. if any.
4. Price.
5. Estimates value.

Signature of the Tehsildar.  
Signature of the District Industries  
Officer; (in case of item III above).

## FORM IX

*(Certificate under clauses (i) to (iv) of sub-rules (2) of Rule 12)*

I have examined the case of M/s.... a co-operative society registered at No.... under the Rajasthan Co-operative Society Act, 1953 and certify that the maximum credit limit of the aforesaid society is Rs..... and that the individual members of the Society have not taken any loan. A copy of the latest Balance Sheet and Profit and Loss Account of the society is also enclosed and I think that the Society has good scope for development and in case a loan of Rs..../- is granted to them ... it would go a long way in establishing this industry as Shri ... of the Society possesses necessary technical experience.

Assistant Registrar,  
Co-operative Societies.

## FORM X

*(Certificate regarding property being un-encumbered as required under sub-rule (3) of Rule 12)*

It is hereby certified that the land/building details given in Form VIII offered as security by Shri.... who has/have applied for a loan of Rs .../- under the Rajasthan State Aid to Industries (Loans) Rules, 1963, is on the basis of enquiries made by me is un-encumbered to the extent of Rs..../- only.

Certifying Officer.  
Designation.

## FORM XI

[See rule 8]

No .....

Date.....

## ORDER

Shri/Sarva Shri.... whose name has been registered at S. No.... of the Loan Register is/are hereby granted a loan of Rs.... (Rupees .....) under the Rajasthan State Aid to Industries (Loans) Rules, 1963, for the establishment/development etc. of ... Industry at .....

The amount of loan is to be paid in one/two instalments as under on the parties executing necessary bond/agreement: —

1. First instalment on.....
2. Second instalment on.....

Sanctioning Authority

Copy forwarded for information and necessary action to the—

1. Shri/Sarva Shri ... ..
2. Accountant General, Rajasthan, Jaipur.
3. Collector (concerned).
4. Accounts Officer (Industries). (In case loan is granted by the Director of Industries, Civil Supplies or the Collector concerned).
5. Director of Industries and Civil Supplies, Rajasthan, Jaipur. (In case where loan is not granted by him).

Sanctioning Authority.

## FORM XII

[Mortgage Deed under rule 15]

THIS DEED IS MADE the.... ..  
 day of ... .. 196 . BETWEEN ... ..  
 .... (hereinafter called 'the one  
 part' and the 'the Governor of Rajasthan' (hereinafter called  
 the 'Government') of the other part.

WHEREAS the borrower has applied to the Government  
 for the advance of a loan of Rs.... ..  
 .... repayable with interest as herein-  
 after mentioned by instalments hereinafter specified, with the  
 security of mortgage as hereinafter described for the Starting/  
 Development of.... ..  
 .... Industry at.... ..

AND WHEREAS THE Government has agreed to advance  
 the said loan repayable as aforesaid with the aforesaid security  
 on the terms and conditions hereinafter contained.

## NOW THIS DEED WITNESSETH AS FOLLOWS

1. In pursuance of the said agreement and in considera-  
 tion of the sum of Rs.... .. to  
 be advanced by the Government to the borrower, for the  
 starting/development of the.... ..  
 Industry at ... .. the borrower hereby covenants  
 with the Government as follows :—

(1) The borrower shall repay to the Government the said  
 sum of Rs.... .. by seven instalments of Rs .. ..  
 each and the last instalment of Rs.... .. payable  
 on the following dates :—

Instalment	Due date
1st Instalment	....
2nd Instalment	....
3rd Instalment	....
4th Instalment	....
5th Instalment	....
6th Instalment	....
7th Instalment	....
Total	....

(2) The borrower shall pay to the Government interest at the rate of ..... per annum on the said sum of Rs..... (Less amounts repaid) and on such amount as might have accrued in the arrears for interest :

Provided that where any instalment is paid on the due date, the Government shall accept the interest at the prescribed rate instead of 9 percent on the amount of that instalment, if paid alongwith the interest :—

(3) The borrower shall start/develop the said... .. industry at... .. within four months from the date on which the said sum of Rs... .. is received by him from the Government, and shall always keep the said industry, running unless prevented from doing so by lawful cause or excuse, as to the existence of which the Government's decision shall be final.

(4) The borrower shall use the said sum of Rs ... .. to be advanced by the Government for the purpose of the said industry only and for no other purpose.

(5) The borrower shall within ... .. months from the date hereof, invest in the said industry a sum of his own which shall not be less than the amount received by him from the Government hereunder.

(6) The borrower shall keep proper and regular accounts of the running of the said industry in the form in which accounts are kept by men of business, and shall, for every month of the English Calendar, send a monthly progress report of the industry and trial balance within not less than 10 days of the end of the month, to the Director of Industries & Civil Supplies, Rajasthan, Jaipur or to such other officer as may be prescribed from time to time by the Government.

(7) The borrower shall permit the Director of Industries & Civil Supplies, Rajasthan, Jaipur or the Regional Deputy Director of Industries or District Industries Officer, or Assistant Registrar, Co-operative Societies, or the Accountant General, Rajasthan or any person deputed by any of them by general or

special order in writing or any other person authorised in this behalf by the Government at all reasonable times, to inspect the premises, Account Books, Machinery, Plants and Appliances, Furniture, Stocks and Stores etc., and all other belongings and things connected with the Industrial undertakings in respect of which the loan has been granted and to grant all reasonable facilities for such inspection and audit as and when conducted by the Accountant General or any other officer authorised by him in this behalf.

(8) If and so often as the borrower shall commit breach of any of the covenants contained in sub-clauses (1) (2) (3) (4) the said sum of Rs. .... including interest at the enhanced rate less amounts that might have been repaid by the borrower shall, if such notice is given in writing by the Government to the borrower, become due and payable with effect from such date as may be mentioned in that notice.

2. (1) For the consideration aforesaid and in further pursuance of the aforesaid agreement, the borrower hereby grants and transfers by way of simple mortgage to the Government all that property described in the schedule hereto, to the intent that the said property hereby mortgaged shall remain and be charged by way of simple mortgage as security for the payment on account of principal and interest in accordance with the covenants herein obtained.

(2) The borrower hereby covenants with the Government that the said property is owned by him undisputedly and is under the sole possession of ... who has as surety agreed to this mortgage and that it is free from encumbrances.

(3) It is hereby agreed and declared that in case of default in the payment of such sum on account of principal and interest as may become due under the covenants herein contained the Government may forthwith enforce against the said property hereby mortgaged or any part thereof all or any of the remedies of the holders of the simple mortgage, and may sell it by Public auction or private contract without intervention of the Court with power to buy in or at such sale and that the rights conferred by this sub-clause shall be without prejudice to the right conferred by clause 3 (i) hereof hereinafter contained.

3. It is hereby further agreed and declared :—

(1) that all amounts that might become due hereunder to the Government whether by way of principal or interest or otherwise may be recovered in accordance with the provisions of the Rajasthan Public Demands Recovery Act, 1952 (Rajasthan Act No. V of 1952) and that this right shall be in addition



and without prejudice to the rights conferred by clause 2 (3) herein above contained, and

(2) that the stamp duties and registration fees payable in respect of this deed shall be paid by the borrower.

### SCHEDULE

*(Description of immovable property mortgaged hereunder by the borrower to the Government)*

IN WITNESS WHEREOF this deed has been signed by the borrower and by the ... on behalf of the Government the day the year hereinabove mentioned.

Signed by the Borrower ... ..

Witness 1. . . . .

Witness 2 .... .

Signed on behalf of the Governor of the State of Rajasthan ..

.. ....

Witness 1. ... ..

Witness 2. .. .

### FORM XIII

*(Form of Loan Ledger under rule 15)*

- |   |                                      |
|---|--------------------------------------|
| 1. Name of the Borrower.                                    | 5. Rate of interest.                 |
| 2. Address of the Borrower.                                 | 6. Amount of instalment.             |
| 3. Amount of loan sanctioned.                               | 7. Due date of payment of instalment |
| 4. S. No. of the loan sanctioned and disbursement register. | 8. Particulars of security/sureties. |

#### Opening Balance

Date. — — — — — - Amount of Instalment due

Principal. Arrear instalment. Interest.

1	2	3	3A	4

#### Interest calculations.

Period.	Amount of interest at ordinary rate.	Amount of interest at penal rate.	Total amount of interest due.	Total amount due including instalment.	Date of repayment.
5	6	7	8	9	10

Details of repayment.		Treasury challan.	Name of Treasury.
Principal.	Interest.		
11	12	13	14
Closing balance.			Remarks.
Principal	Arrear instal- ment.	Interest.	
15	16	17	18

## FORM XIV

*(Form of utilisation certificate under rule 22)*

I/We certify that the sum of Rs.... .. granted to me/us as loan for the establishment/expansion of the.... ..  
 ... .. Industry started/already being run by me/us has been expended (i) in full for the purpose for which it was granted (ii) to the extent of Rs ... ..  
 ... .. only and the balance of Rs ... .. is hereby refunded.

Proprietor ... ..

 ....  
 (Name of the Industry).

I have checked the accounts of M/s.... .. and am satisfied that the above certificate as given by him is correct.

Signature of the Regional Deputy Director/  
 District Industries Officer concerned.

## Industries (A) Department

Jaipur, June 14, 1965.

*Notification No. F. 29. (33) Ind/A/64 :—*In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act No. 25 of 1961), the State Government hereby makes the following amendment to the Rajasthan State Aid to Industries (Loan) Rules, 1963, namely :—

## AMENDMENT (No. 1)

In the said rules, for Form XI the following Form shall be substituted, namely :—

## Form XI

(See rule 14)

## ORDER

Shri/Sarva Shri ..... an individual or partnership firm/a Co-operative Society whose loan application has been registered at S.No....of the Loan Register is/are hereby granted a loan of Rs .....(Rupees.....) only under the Rajasthan State Aid to Industries (Loan) Rules, 1963 for the establishment/development etc. of.....industry located at..... on the terms and conditions specified in the aforesaid rules.

2. The amount of loan is to be released in instalments as under on the parties executing a bond/an agreement in the proforma prescribed under the aforesaid rules.

1st instalment on.....Rs.

2nd instalment on....(after the party/parties submitting a certificate of having utilised the amount released as first instalment of loan).

3. The Interest will be charged on the above total loan at the rates prescribed under rule 20.

4. The expenditure involved is chargeable to Head "Q—Loans & Advances, A-Loans to Local Funds, Private Parties, etc. of Misc. Loans and Advances, Loans to Small Scale Cottage Industries (Plan Exp) and is re-imburseable as loan from the Central Government in accordance with their and pattern for grant of financial assistance.

5. This issues with the approval of the Loan Committee constituted under rule 17 of the aforesaid Rules (in case the loan is sanctioned by the Loan Committee)."

Sanctioning Authority.

Copy forwarded for information and necessary action to the :—

1. Shri/Sarva Shri
2. Collector concerned.
3. Accountant General, Rajasthan, Jaipur.
4. Accounts Officer, Directorate, Jaipur.
5. Director of Industries & Civil Supplies, Rajasthan, Jaipur (in case loan is sanctioned by R. F. C, Jaipur, R. C. S. Jaipur, Regional Dy. Directors concerned, Project Officers Churu/Nagaur/or the Collectors concerned.)

Sanctioning authority.

Industries 'A' Department

Jaipur, September 9, 1965.

(Amendment No. 3)

*Notification No. F. 29 (5) Ind./A/63.*—In exercise of powers conferred by sub-section (1) of Section 8 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961), the State Government hereby makes the following amendments to the Rajasthan State Aid to Industries (Loan) Rules, 1963 namely :—

### AMENDMENTS

In the said rules, in the schedule,

(a) In Form VI, in clause 2 for the expression "a deed of hypothecation of" the expression "a deed in Form XV hypothecating" shall be substituted ; and

(b) after Form XIV, the following new form shall be inserted, namely:—

### Form XVI

#### Hypothecation deed.

This indenture is made the ..... day of ..... between..... (hereinafter called the "borrower") of one part and the Government of Rajasthan (hereinafter called "the Government") of the other part.

Whereas the borrower has applied and has been granted a loan of Rs..... for the purchase of machinery, furniture, apparatus etc. for the starting/development of..... industry at ..... in terms of Rajasthan State Aid to Industries (Loan) Rules, 1963 which expressions shall include any amendment thereof or additions thereto for the time being in force.

And whereas one of the conditions of the bond executed by the borrower on..... day of..... with the

Government is that the borrower shall execute in favour of the Government a Deed of Hypothecation of all the machinery, furniture, apparatus etc. purchased or credited out of the said amount advanced by the Government as further security for the repayment of the said amount and that the said Deed will be executed within 2 months of the creation or purchases of machinery, furniture, apparatus etc. or other assets.

And whereas the borrower has purchased with or partly with the amount of loan so advanced as aforesaid machinery, furniture, apparatus etc. particular whereof are set about in the Schedule hereunder written.

Now the indenture witnesseth that in pursuance of the said bond and for the consideration of the aforesaid, the borrower doth hereby assign and transfer to the Government the machinery, furniture apparatus etc., particular whereof are set out in the schedule hereunder written by way of security for the said loan and interest thereof.

And the borrower doth hereby agree and declared that he had paid in full purchase price of the said machinery, furniture, apparatus etc. and that the same is his absolute property and that he has not pledged and so long as any money remains payable to the Government in respect of the said loan will not sell, pledge or part with the property in or possession of the machinery, furniture, apparatus etc:

Provided always and it is hereby agreed and declared that if the borrower fails to repay the instalments of principal and interest as per terms and conditions of the above said Bond or if the borrower shall die or at any time goes away any where without notice to the Government or if the borrower sells or pledges or parts with the properties in or possession of the said machinery, furniture, apparatus etc. or becomes insolvent or makes any composition or agreement with his creditors or if any persons shall take proceedings in execution of any decree or judgment against the borrower the whole of the said principal sum which shall thereby remain due and unpaid together with interest thereof shall forthwith become payable and it is hereby agreed and declared that the Government may on the opening of any of the events herein, before mentioned seize and take in possession of the said machinery, furniture, apparatus etc. and either remain in possession thereof, or may sell by public auction or private contract, without intervention of the Court, with the power to buy in or at such sale, and may out of the sale money retain the balance of the said advance then remaining unpaid together with interest thereon, and that after meeting all costs, charges, expenses, and payments properly

incurred or made in maintaining, defending or realising the rights hereunder, shall pay the surplus, if any, to the borrower, his executors, administrators or personal representatives.

That the aforesaid power of taking possession or selling of the said machinery, furniture, apparatus etc. shall not prejudice the claim of the Government to recover the outstanding amounts of loan and interest due thereon from the surety/sureties referred to in the said bond.

That the borrower doth hereby further agree that so long as any money remaining due and owing to the Government, the borrower will keep insured the said machinery, furniture, apparatus etc. against loss or damaged by fire, theft or accident with an Insurance company approved by the State Government and shall assign the policy to and deposit the same with the Government.

The borrower hereby further agrees that he will not permit or suffer the said machinery, furniture, apparatus etc. to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear thereof and that in the event of any damages and accident happening to the said machinery, furniture, apparatus etc, the borrower will forthwith have the same repaired and make good.

That all expenses in respect of this Deed shall be paid by the borrower.

#### SCHEDULE

In witness whereof this Deed has been signed by Shri .....  
..... (Borrower) and by the ..... (on behalf of the  
Government) the day and the year hereinabove mentioned.

Signed by the borrower.....

Address.....

Signed on behalf of  
the Government  
of the State of  
Rajasthan witness

Witness.....

Address.....

Address.....

[Pub. in Raj. Gaz. 4 (Ga) Dt. 14-10-65 Page 332]

Industries (A) Department

(Amendment No. 2)

Jaipur, September 9, 1965

**Notification No. F. 29 (12) Ind/A/64.**—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 61), the State Government hereby makes the following ame-

ndments to the Rajasthan State Aid to Industries (Loans) Rules, 1963, namely :—

Amendment No. 2

In the said rules,

(i) in rule 7, in Clause (ii), after the expression 'the applicant', the expression 'or his surety' shall be inserted;

(ii) in rule 15, for the expression "in Form II", the expression "in Form XII or Form XV, as the case may be," shall be substituted;

(iii) in the Schedule—

(a) in Form II, after the expression "is undisputedly owned by me/my surety", the expression "and which is in the sole possession of myself/mysurety" shall be substituted;

(b) for Form V, the following Form shall be substituted; namely :—

FORM V

[Personal Bond under Sub-rule (1) rule II]

This Bond is made this ... .. day of ... .. Between.... (hereinafter called the "Borrower") of the one part and the Governor of Rajasthan (hereinafter called the Government) of the second part.

WHEREAS the borrower has applied to the Government for the advance of loan of Rs.....payable with interest as hereinafter mentioned by instalments hereinafter specified for the starting of.... industry at ... ..AND WHEREAS the Government has agreed to advance the said loan payable as aforesaid, on the terms and conditions hereinafter contained.

Now, This Bond Witnesses as Follows :—

(1) In pursuance of the said agreement and in consideration of the sum of Rs.....to be advanced by the Government to the borrower as aforesaid, the borrower hereby covenants with the Government as follows :—

(1) The Borrower shall repay to Government the said sum of Rs.... by six instalments of of Rs .. .. each and the last instalment of Rs.....payable on the following dates :—

Instalment	Due Date
1st instalment	.....
2nd instalment	.....
3rd instalment	.....
4th instalment	.....

5th instalment .....  
 6th instalment .....  
 7th instalment .....

Total

(2) The borrower shall pay the Government interest at the rate of Nine per cent, per annum on the said sum of Rs.... (less amounts repaid) and on such amount as might have accrued in arrears for interest provided that where any instalment is paid on the due date, the Government shall accept interest at the prescribed rate instead of Nine percent, on the amount of that instalment, if paid along with the interest due.

(3) The borrower shall start/has started the said..... industry at..... within four months from the date on which the said sum of Rs ..... is received by him from the Government has already been functioning from ..... and shall always keep the said industry running unless prevented from doing so by lawful cause or excuse as to the existence of which the Government's decision shall be final.

(4) The borrower shall use the said sum of Rs ..... to be advanced by the Government only for the purpose of the said industry and for no other purpose.

(5) The borrower shall within ..... months from the date hereof invest in the said industry a sum of his own equal atleast to the amount received by him from the Government hereunder.

(6) The borrower shall keep proper and regular accounts of the running of the said industry in the form in which accounts are kept by men of business, and shall for every months of the English Calendar send a monthly progress report of the industry and trial balance within 10 days of the month following to the Director of Industries and Supplies, Rajasthan, Jaipur or to such other officer as may be specified by the Government, from time to time by the Government. The borrower, shall allow the Director of Industries and Supplies, Rajasthan, Jaipur or any person authorised by the Government or by the said Director to inspect the working of the said industry at all reasonable times and for that purpose to enter its premises and examine and take copies of the records of the borrower.

(7) If and so often as the borrower shall commit breach of any of the covenants contained in sub-clauses (1), (2), (3), (4), (5), (6) and (7) above or clause 2 below the whole of the said sum of Rs. .... plus ..... interest at the enhanced rate less amount that might have been repaid by the



borrower shall if such notice is given in writing by the Government to the borrower becomes due and payable with effect from such date as may be mentioned in that notice.

(8) For the consideration aforesaid and in further pursuance of the aforesaid agreement, the borrower hereby agrees that he shall execute in favour of the Government a deed of hypothecation of all machinery, furniture, apparatus or other assets purchased or created out of the said amount to be advanced by the Government or if a building is created or purchased than a deed of simple mortgage of the building, as further security for the repayment of the said amount and that the said deed will be executed within 2 months of the creation of purchase of the machinery, furniture, apparatus or other assets, or of the building (as the case may be) and that all expenses of the deed shall be borne by the borrower.

It is, hereby further agreed and declared:—

1. That all amount that might become due hereunder to the Government whether by way of principal or interest or otherwise, may be recovered in accordance with provisions of the Rajasthan Public Demands Recovery Act, 1952 (Rajasthan Act V of 1952) and that this right shall be in addition and without prejudice, to the rights conferred by other provisions herein contained and shall be available in respect of the liabilities of the borrower.

2. That the stamp duties payable in respect of this bond shall be paid by the borrower and

3. That the expression "borrower" herein used shall, where the context so admits, included the heirs, executors and administrators of the borrower.

In witness whereof this bond has been signed by the borrower and by the .....  
on behalf of the Government the day and year hereinabove mentioned.

*Signed by the borrower.....*

Address.....

Witness No. 1. ....

Address.....

Witness No. 2.....

Address. ....

Signed by order of and on behalf of Governor, Rajasthan

.....

Witness No. 1.....

Address.....

Witness No. 2.....

Address.....

(c) in Form X, for the expression "Offered as security by Shri ..... " the expression "Offered as Security by Shri ..... on behalf of Shri ..... " shall be substituted;

(d) after Form XIV, the following new Form shall be inserted, namely :—

### FORM No. XV

#### (Triparties Mortgage Deed under Rule 15)

This deed is made the.....day of 196.... between.... (hereinafter called the borrower) of the one part, the Government of Rajasthan (hereinafter called the Government) of the second part and.....(hereinafter called the Guarantor) of the third part.

Whereas the borrower has applied to the Government for the advance of a loan of Rs.... ) repayable with interest as hereinafter mentioned by instalments hereinafter specified with the security of mortgage of the property, hereinafter specified belonging to the Guarantor for starting/developing of industry at .....

And whereas the Guarantor at the request of the borrower has agreed to the grant of a loan of Rs ( ) by the Government to the borrower against the mortgage of property hereinafter described in the schedule belonging to the Guarantor.

And whereas the Government has agreed to advance the said loan repayable as aforesaid with the aforesaid security on the terms and conditions hereinafter contained.

And whereas both the borrower and the Guarantor have agreed that they are jointly and severally responsible for repayment of the said loan alongwith interest.

Now This Deed Witnesses As Follows :—

1. In pursuance of the said agreement and in consideration of the sum of Rs.... to be advanced by the Government to the borrower for the starting/development of the.... industry at..... the borrower hereby covenants with the Government as follows :—

(1) The borrower and the Guarantor both jointly or severally shall repay to the Government the said sum of Rs..... by seven instalments of Rs..... each and the last instalment of Rs..... payable on the following dates :—

<i>Instalment</i>	<i>Due Date</i>
-------------------	-----------------

1st Instalment.....	
2nd instalment....	
3rd instalment.....	
4th instalment.....	
5th instalment....	
6th instalment.....	
7th instalment....	

(2) The borrower or the Guarantor or both shall jointly or severally pay to the Government interest at the rate of 9% per annum on the said sum of Rs ..... (less amount repaid) and on such amount as might have accrued in the arrears for interest :

Provided that where any instalment is paid on the due date, the Government shall accept the interest at the prescribed rate instead of 9% on the amount of that instalment, if paid alongwith the interest.

(3) The borrower shall start/develop the said.....industry.... within four month's from the date on which the said sum of Rs... is received by him from the Government and shall always keep the said industry, running unless prevented from doing so by lawful cause of excuse, as to the existence of which the Government's decision shall be final.

(4) The borrower shall use the said sum of Rs.... to be advanced by the Government only for the purpose of the said industry and for no other purpose.

(5) The borrower shall within.... months from the date hereof, invest in the said industry a sum of his own which is not less than the amount received by him from the Government hereinunder.

(6) The borrower shall keep proper and regular accounts of the running of the said industry in the form in which accounts are kept by men of business, and shall for every months of the English Calendar, send a monthly progress report of the industry and trial balance within not/less than 10 days the end of the month to the Director of Industries and Supplies, Rajasthan, Jaipur of the Government or to such other officer as may be prescribed from time to time by the Government.

(7) The borrower shall permit the Director of Industries and Supplies, Rajasthan, Jaipur, or the Asstt-Director of Industries or District Industries Officer, or Asstt. to Registrar, Co-operative Societies or any person deputed by any of them by general or special order in writing or any other person authorised in this behalf by the Government at all reasonable times,

to inspect the premises, Account Books, machinery, plants and appliances, furniture, stocks and store etc. and all other belongings and things connected within the Industrial undertakings in respect of which the loan has been granted and to grant all reasonable facilities for such inspection.

(8) If and so often as the borrower or the guarantor shall commit Breach of any of the covenants contained in sub clause (1) to (7) the said sum of ..... including interest at the enhanced rate less amount that might have been repaid by the borrower or the guarantor, shall if such notice is given in writing by the Government to the borrower/guarantor, become due and payable with effect from such date as may be mentioned in that notice.

2. (1) For the consideration aforesaid and in further pursuance of the aforesaid agreement, the Guarantor hereby grants and transfers by way of simple mortgage to the Government all that property described in the schedule hereto, to the intent that the said property hereby mortgage shall remain and be charged by way of simple mortgage as security for the payment on account of principal and interest in accordance with the covenants herein obtained.

(2) The Guarantor hereby covenants with the Government that the said property is free from encumbrances.

(3) It is hereby agreed and declared that in case of borrower/Guarantor's default in the payment of such sum on account of principal and interest as may become due under the covenants herein contained due notice whereof shall be given by the Government to the guarantor, or the Government may forthwith at the expiry of the notice enforce against the said property hereby mortgaged or any part thereof also or any of the remedies of the holders of the simple mortgage, and may sell it by public auction or private contract without intervention of the Court with power to buy on or at such sale and that the rights conferred by this sub-clause shall be without prejudice to the right conferred by clause 3 (1) hereof hereinafter contained.

(4) The Guarantor agrees that the Government can at any time take action to recover the said loan from him without exhausting all the remedies available against the borrower for recovery of the said loan.

3. It is hereby further agreed and declared :—

(i) that all amounts that might become due hereunder to the Government whether by way of principal or interest or otherwise may be recovered in accordance with the provisions of the Rajasthan Public Demands Recovery Act, 1952 (Rajasthan

than Act V of 1952) and that this right shall be in addition and without prejudice to the rights conferred by clause (2) (3) hereinabove contained and shall be available in respect of the liabilities both of the borrowers and the guarantor and,

(ii) that the stamp duties and registration fees payable in respect of this deed shall be paid by the borrowers,

(iii) that the expression "borrower" and the "Guarantor" herein used shall when the contest so admit includes the heirs, executors and administrators of the borrower and of the guarantor respectively.

### SCHEDULE

(Description of immovable property mortgaged hereinunder by the Guarantor to the Government)

In Witness Whereof this deed has been signed by the borrower and by the guarantor and by the..... on behalf of the Government this..... day of the year hereinabove mentioned.

Signed by the Borrower

.....

Witness 1

.....

Witness 2

.....

Signed on behalf of the

Governor of Rajasthan

Witness 1

.....

Witness 2

.....

Signed by the Guarantor

Witness 1

.....

Witness 2

.....

[Pub. in Raj. Gaz. 4 (Ga)-DX. 7-4-66-Page 49]

### INDUSTRIES (A) DEPARTMENT

Jaipur, July 5, 1966

*Notification No. F. 28 (II) Ind/A/56.*—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961), the State Government hereby makes the following amendment to the Rajasthan State Aid to Industries (Loans) Rules, 1963, namely :—

#### AMENDMENT No. 4

In sub-rule (1) of rule 13 after the expression "get all the properties mortgaged" the expression "other than land" shall be inserted.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 25-8-66-Page 277]

## Industries (A) Department

Jaipur, April 30, 1966.

*Notification No. F. 29 (5) Ind./A/63.*—In exercise of the powers conferred by sub-section (1) of section 8 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961), the State Government hereby makes the following amendments to this department Notification No. F. 29 (5) Ind./A/63, dated 9-9-1965 published in the Rajasthan Gazette, Part IV-C, namely:—

## AMENDMENT

In the said Notification;

1. In clause (a), for the expression 'a deed in Form XV hypothecating' the expression 'a deed in Form XVI hypothecating' shall be substituted.

2. In clause (b) for the expression 'after Form XIV' shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 25-8-66 Page 280 ]

# Raj. State Aid to Industries (Allotment of Sheds in Industrial Estates) Rules, 1964.

Industries (A) Department

Jaipur, August 19, 1964.

*No. F. 3 (23) Ind./A/60.*—In exercise of the powers conferred by sub-section (1) of section 8 read with section 5 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961), the State Government hereby makes the following rules governing State Aid by allotment of factory sheds in Industrial Estates in Rajasthan, namely :—

1. *Short title extent and commencement*:—(1) These rules may be called the Rajasthan State Aid to Industries (Allotment of Sheds in Industrial Estates) Rules, 1964.

(2) They extend to the whole of the State of Rajasthan.

(3) They shall come into force at once,

2. *Application*:—They shall apply to all Industrial Estates built or to be built in Rajasthan.

3. *Definitions*:—In these rules, unless the subject or context otherwise requires :—

(i) 'Act' means the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961);

(ii) 'Board' means the Board as set up by the Government under rule 4 and shall include any Committee appointed by the Board to perform any one or more functions of the Board;

(iii) 'Director' means the Director of Industries and Supplies, Rajasthan, Jaipur;

(iv) 'District Officer' means District Industries Officer or the Regional Dy. Director of Industries, where there is no District Industries Officer;

(v) 'Estate' means an Industrial Estate, whether Urban or Rural, set up by the Government in the State of Rajasthan ;

(vi) 'Form' means a form appended to these rules;

(vii) 'Government' means the Government of Rajasthan ;

(viii) 'Hire purchaser' means an industrialist who accepts the allotment of sheds on hire-purchase basis.

(ix) 'Lease' means the allotment of an area of land for industrial purposes for a period of 99 years;

(x) 'Lessee' means an industrialist who accepts the allotment of a shed or plot on lease basis;

(xi) 'Owner' means the Government of Rajasthan or any body or person so designated by the Government;

(xii) 'Plot' means a piece of land in the area of an Industrial Estate;

(xiii) 'Rent' means either subsidised or standard rent as the case may be.

(xiv) 'Shed' means a factory shed built by the Government in an Estate for allotment on lease or hire-purchase basis to those who are desirous of setting small scale industries in the State of Rajasthan; and

(xv) all other words and expressions used but not defined under these rules shall have the meanings respectively assigned to them under the Act.

4. *Board*:—The Government shall constitute a Board which shall consist of the following :—

(i) Minister of Industries/Deputy Minister... Chairman Industries.

(ii) Secretary Industries..... Member.

(iii) Director, Small Industries Service Instt..... Member.

(iv) Representative of the Chamber of..... Member,  
Commerce and Industry, or similar  
other Organisation

(v) Joint Director, Industrial..... Member  
Estates : Secretary.

5. *Application for allotment of shed*.—Applications for allotments of sheds shall be made in Form IE (to the District Industries Officer concerned, where an Estate in which shed is applied for is situated. Printed form of application shall be made available to the applicant against payment of Re 1/-. Every such application shall be accompanied by:—

(i) earnest money equal to three months, standard rent for the class of shed applied for;

(ii) four copies of detailed scheme of the small scale cottage industry to be set up in the shed applied for; and

(iii) summary of the application Form IE (2).

The application so received shall be forwarded by the District Industries Officer to the Director of Industries through the Regional Dy. Director concerned.

6. *Disposals of applications for allotment of sheds*.—The Secretary of the Board shall place before the Board all the application for allotment of sheds for consideration. The Board shall either reject an application or grant it, on such terms and conditions as it may deem fit. The decision of the Board shall



be final. Government may also directly allot sheds at its discretion.

7. *Communication of the decision of the Board.*—The Director shall carry out the decision of the Board. In the case of applications rejected by the Board, the District Industries Officer shall communicate the decision to the applicant in Form IE (3). In case where the applications are granted by the Board, the Director shall issue allotment orders in Form IE (4).

8. *Acceptance of allotment order.*—The applicant shall on receipt of the allotment order communicate his acceptance in Form IE(5) to the Director of Industries and District Industries Officer concerned, within 15 days or such period as may be extended by the Director of Industries for reasons to be recorded in writing, failing which the earnest money shall be liable to be forfeited. The applicant shall also indicate his choice, if the said allotted shed is required on lease basis or on hire-purchase basis.

9. *Transfer of possession of shed*—After receipt of the letter of acceptance, the Director shall arrange transfer of possession of the shed to the allottee against an acknowledgement in Form IE (6).

10. *Lease of sheds.*—Allotment of sheds on lease basis shall be on the following terms and conditions :—

(i) the lessee shall execute a lease deed in Form IE (7);

(ii) the lease shall be for a period of 30 years in the first instance renewable for another period of 30 years at the option of the lessee on a rent not exceeding double the rent in the preceding period. The lease shall be liable to be determined at any time by either party by giving in writing a notice of three months to that effect ;

(iii) the repairs due to ordinary wear and tear of the shed shall be responsibility of the Government but damages, if any, caused to the shed shall be got repaired by the allottee within one month or the Government shall get it done and recover the cost from the allottee;

(iv) water connection in the shed shall be provided by the Government. The power connection will be taken by the lessee at his own cost;

(v) all dues including those on account of water and power consumption and taxes other than property taxes shall be payable by the lessee ;

(vi) the rent as fixed by the Government from time to time shall be payable by the lessee in advance every month by

10th of the month to which the rent relates. Arrears of two months rent shall amount to breach of the terms of lease contract ;

(vii) the shed shall be used for setting up a small scale industry for which it is allotted by the Board or the Government and for no other purpose except with the previous permission of the Board of the Government ;

(viii) the lessee shall not sub-let, under-let, mortgage or otherwise alienate or transfer or part with the possession of the shed, or any right or interest therein ;

(ix) the production in the shed shall start within a period of six months from the date on which the possession is delivered. The Director, may, however, at his option, extend the time limit upto a maximum period of three months for reasons to be recorded in writing ;

(x) failure on the part of the lessee to comply with any of the conditions stated above, shall amount to breach of contract and the Director shall have a right to get the shed vacated forthwith ;

(xi) the allottee shall not carry out any additions and alterations to the main shed and buildings without the prior approval of the Director ; and

(xii) in case the allottee suspends or closes running of the industry in the shed at any time for a period exceeding six months the Board or the Government, as the case may be, shall terminate the lease by giving one month's notice and resume the possession of the shed ;

11. *Hire-purchase of shed.*—Allotment of sheds on hire-purchase shall be on the following terms and conditions :—

(i) the shed shall be leased out to hire-purchase for a period of 15 years subject to the conditions that he shall have an option to purchase it on the expiry of this period, provided, he has paid all the instalments ;

(ii) the hire-purchaser shall pay 20% of the cost of the shed as fixed by the Government as first instalment in advance and the remaining amount along with interest @ 6% per annum shall be payable in 15 equal annual instalments. Each instalment shall fall due on the first day of twelfth month from the date of allotment or the date on which possession of shed on hire-purchase basis is delivered to the hirer. The Director may further extend this period by two months in hard cases for reasons to be recorded in writing. Pending final determination of the cost of shed, the Director may fix provisionally the cost of shed ;

(iii) in case of failure to pay any instalment on due date, the Director shall have a right to terminate the contract of hire-purchase by serving one month's notice and in that case the shed shall be treated on lease basis according to rule 10 above :

Provided that in case the instalment due is paid within the period of notice, such period shall be treated as a further extension over and above the two month's extension referred to in clause (i) above and a penal interest @ 1% per annum shall be charged for the entire period for which default has been made ;

(iv) the hire-purchaser shall not sub-let, under-let, mortgage or otherwise alienate or transfer of part with the possession of the shed or any right or interest therein ;

(v) the shed shall be used for setting up a small scale industry for which it is allotted by the Board and for no other purpose except with the previous permission of the Board in writing;

(vi) the hire purchaser shall keep the shed in a condition of good repairs. In the event of his failure to do so, the Director shall get it repaired and recover the cost of repairs from the hire-purchaser ;

(vii) till all the instalments towards the hire-purchase price of the shed paid, the hire-purchaser shall keep the shed insured with any Insurance Company, in the name of Director against loss or damage by fire and all other risks as the Director may require in such sum as is equivalent to the cost of the shed, and shall deposit with the Director all such insurance policies and receipts for payment of the premiums in respect of the same ;

(viii) the production in the said shed shall be started within a period of six months from the date on which the possession is delivered. The Director may, however, at his option, extend the time limit upto a maximum period of three months for reasons to be recorded in writing.

(ix) the hire-purchaser shall execute an agreement, in Form IE (8) ;

(x) the hire-purchaser shall not carry out any additions and alterations to the main shed and building without the approval of the Director ;

(xi) in case the hire-purchaser suspends or closes running of the industry in the shed at any time for a period exceeding six months, the Board shall terminate the allotment by giving one month's notice and resume the possession of the shed;

(xii) breach of any of the above conditions shall entitle the Director to resume the possession of the shed in which case the

price as is deemed proper by the Government shall be payable to the hire-purchaser if the ownership of the shed has passed to him. The cost of the shed so payable shall not exceed the actual cost of the shed, originally paid by the hire purchaser; and

(xiii) in case the allottee suspends or closes running of the industry in the shed for a period exceeding six months, during the period of hire or after the ownership has been transferred to him, the Government shall resume possession of shed by giving one month's notice to the allottee. If it happens during the period of hire, all the instalments paid shall stand forfeited. In the other case the cost of the shed shall be payable to the allottee according to clause (xii) above.

**12. Hire-purchase of sheds in the case of existing allottees of sheds.**—A lessee to whom a shed has been allotted on lease basis before the coming into force of these rules, may within a period of three months from the date of publication of these rules in the Official Gazette, opt for hire-purchases of shed in Form IE (9) and in that case the amount of rent paid by him under the old arrangement shall be adjusted towards the initial instalment of 20% of the cost of the shed. Other conditions will be the same as mentioned in rule 11 above.

**13. Hire-purchase of sheds by those who fail to give option:**—The lessee who fails to exercise option under rule 12 may also at any time during the period of lease apply for hire-purchase of sheds under rule 11 above. In this case no credit of lease money already paid shall be given.

**14. Allotment of plots of land in the Industrial Estates:**—(1) The Board may allot for the purpose of constructing a shed by the allottee at his cost with the object of setting up a small scale industry, plot of land, if available over and above the requirements of a particular Industrial Estate, to the applicants for allotment of sheds or to those who specifically apply for allotment of plot.

(2) The applications for allotment of plot shall be made in the Forms IE (1) and IE(2) and in the same manner as indicated in rule 5 above. The amount of earnest money shall, however, be Rs. 500/- per plot of any size.

(3) The allotment of plots shall be governed by the Rajasthan Industrial Areas Allotment Rules, 1959 issued vide Notification No. F. 5 (199) LSG/A/59, dated 21-12-59 with the modification that the programme of construction of a shed and of production shall be as under:—

(i) construction to be started within 3 months from the date on which the possession of the plot is delivered.

- (ii) construction to be completed within next six months. The Director may at his option extend the period as he deem proper for reasons to be recorded in writing;
- (iii) machinery to be installed and production started within next three months. The Director can, however, at his option extend the limit upto a maximum period of three months for reasons to be recorded in writing; and
- (iv) that the allottee shall execute a lease-deed in Form IE (10).

(4) The land on which a shed is built shall be on leasehold basis under the Rajasthan Industrial Areas Allotment Rules, 1959, while building on the shed shall be on hire-purchase basis and the hire-purchaser shall execute a separate lease-deed in respect of the said land in Form IE (8). In such cases only the structures on the said land in the form of shed shall be deemed to have been allotted on hire-purchase basis—

15. All the allottees shall:—

(i) furnish all information periodical reports and returns pertaining to the industry set up in shed as required by the Director or any other officer of the Industries Department connected with the affairs in an Industrial Estate;

(ii) Permit access to any person or persons nominated by the Director to inspect running of the industry in the shed;

(iii) keep the premises neat and clean and also equip the shed with fire extinguisher;

(iv) comply with the instructions issued from time to time by the Director or any other Officer connected with the affairs of the Estate; and

(v) comply with these rule as amended from time to time.

16 *Refund and forfeiture of Earnest Money* :—(a) *Refund*—The earnest money deposited with the application for allotment of shed or plot will be refunded by the Joint Director/Regional Dy. Director of Industries in the following cases :—

(i) Where the applicant has withdrawn his application for allotment of shed or plot, before the decision of the Board allotting him a shed/plot is communicated to him;

(ii) Where the application for allotment of shed or plot has been rejected by the Board after due consideration; and

(iii) Where a shed or plot has been allotted, the earnest money shall be refunded after the deed has been executed and the unit has started production.

(b) *Forfeiture*.—The earnest money deposited with the application for allotment of shed or plot shall be forfeited in the following cases :—

- (i) Where an allotment of shed has been made by the Board but the applicant has failed to accept it within the specified period referred to in rule 8;
- (ii) Where the allottee after he has accepted the allotment and has been required to take over the possession has failed to take it over within the period specified in conditions 2 & 3 of the order of allotment in Form IE (4) ; and
- (iii) where the industry set up by the allottee has not gone into production within the period specified in rules 10 (ix), 11 (viii) and 14 (3) (iii).

17. *Mode of recovery of dues*.—All amounts payable to Government under these rules shall be recovered as arrears of land revenue.

18. *Repeal and Saving*.—Except as provided in these rules, all rules and orders in relation to matters covered by these rules and in force immediately before the commencement of these rules are hereby repealed :

Provided that nothing in these rules shall affect the previous operation of the rules hereby repealed or any action taken thereunder.

### FORME I. E. (1)

( See rule 5 )

*Serial No.*

*Price Rs. 1/—only.*

*Registration No. of Application.....*

### FORM OF APPLICATION FOR ALLOTMENT OF SHED/PLOT

To

The District Industries Officer,

.....

Sir,

I/We hereby apply for allotment of....(class)built shed/plot or land on which shed will be built at my/our expenses in the Industrial Estate under the Rajasthan State Aid to Industries in Industrial Estates (Allotment of Sheds Rules, 1964). A demand Draft/Challan No..... dated..... of the Bank of.....for Rs.....being the earnest money is inclosed. Four copies of the scheme for setting up ..... industry for which shed/plot has been applied for are also enclosed. Further information to consider my/our application is furnished below.

---

1. Name of the applicant.

---

2. Whether the applicant is an Individual, a Partnership Firm, Private or Public Company or Co-operative Society ?

---

3. Address (in full) of the applicant.

(a) Factory. (b) Office (c) Residential.

---

4. Name of the persons having legal status to sign on behalf of the applicant, together with his /their designations and addresses.

---

5. In case applicant being an existing Manufacturing or Business concern:

(i) Nature of manufacture of business.

(ii) Capital Investment:

(a) Blocked Capital.

(b) Working Capital.

(iii) Number of:-

(a) Supervisors.

(b) Skilled workers.

(c) Un-skilled workers.

(iv) Date of establishment.

(v) Number of shifts working in a day:—

(a) Number of days in a year on which two shifts are worked.

(b) Number of days in a year on which three shifts are worked.

(vi) Nature and capacity of power supply available.

(vii) Covered and uncovered area of existing accommodation.

(viii) Estimated increase in:

(a) Manufacturing output. (b) Employment.

In case the factory space is allotted in the Industrial Estate.

---

6. General details for the proposed Establishment:—

(i) Nature and quantity of annual production of goods.

(ii) Capital Investment:

(a) Blocked.

(b) Working.

(iii) Estimated number of:-

(a) Supervisors.

(b) Skilled workers.

(c) Semi-skilled workers

(d) Un-skilled workers.

(iv) Probable date of starting production.

(v) Number of shifts desired to be worked in a day:—

(a) No. of days in a year for Two shifts.

(b) No. of days in a year for three shifts.

(vi) Installed load and estimated daily consumption of:

(a) Electricity

(b) Steam

(c) Gas

(d) Water (in gallons).

- (vii) Factory accommodation desired on Lease/Hire-purchase.
- (viii) Class of factory required. A/B/C/D/E class.
- (ix) Particulars of experience in the line of manufacture proposed or in a similar line.
- (z) In case of no experience in the line proposed, other business experience and technical qualification if any,

---

7. Raw material required for the manufacture proposed and their source.

---

8. Approximate average distance which the workers may traverse to reach the factory.

---

9. Whether the manufacturers process involves omission of any offensive odours or smokes and if so, their nature and extent ?

---

10. Whether the manufacturers process involves any industrial waste and if so, their nature and extent ?

---

11. Specific items of manufacture (in case of an existing concern).

(a) Estimated annual out put, if any.

(b) Proposed increase in annual out-put.

---

12. Proposed manufacturing items (in case of a new scheme)

(a) Estimated annual production.

(b) Value of annual production.

---

13. Are similar Industries as the proposed industry existing in:

(a) The place where shed has been applied.

(b) Rajasthan State (c) Indian Union.

---

14. Whether a telephone connection required ?

---

15. Whether purchase of machinery on Hire-purchase desired ?

If so, of what value ?

---

16. Whether any technical assistance desired ?

If so, of what nature ?

---

17. Whether any assistance in marketing of products desired ?

If so, of what value ?



18. Whether the applicant desires any loan, has applied or intends to apply for an Industrial Loans to the State Government ?  
If so, how much ?

Any other information which the applicant may like to give.

Certified that the information given in the application as above is true to the best of my/our knowledge and behalf.

Yours faithfully  
*Signature of the Applicant*

Date.....

Place.....

Registration No..... Dated the.....

Received from M/s.....  
application for allotment of shed/plot.

*Signature of receiving official*

FORE I. E. (2)

[See rule 5 iii]

# SUMMARY OF APPLICATION FOR ALLOTMENT OF FACTORY SHED/OPEN PLOT IN INDUSTRIAL ESTATE

1. Name/Names of Party/Firm/Association/Society.
2. Nature of Industry.
3. Whether holding sheds at Industrial Estates elsewhere ?
4. Whether they are running any industry outside the Industrial Estate ?
5. Capital proposed to be invested.
6. Employment potential.
7. Whether machines will be imported or locally purchased ?
8. Raw material requirtd.

Arrangements for technical know-how.

*Signature...*

*Date....*

FORM I. E. (3)

[See rule 7]

## GOVERNMENT OF RAJASTHAN

No.....

M/s ... ..

Dated the

Sub:—Application for allotment of shed/plot in the Industrial Estate, ... ..

Dear sir,

Yours application No.....dated ..... for allotment of shed/plot in the Industrial Estate, ..... was considered by the Board of Allotment as constituted under rule 4 of the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estates) Rules 1964 in its meeting held on..... The Board did not grant your application. You are advised to claim refund of the earnest money deposited with the application under reference.

Yours faithfully,  
Regional Dy. Director of Industries

District Industries Officer.....

FRRM I. E. (4)

(See rule 7)

GOVERNMENT OF RAJASTHAN

DIRECTORATE OF INDUSTRIES & SUPPLIES

No.....

Jaipur, dated the..... 196

From—

The Director of Industries & Supplies,

Rajasthan, Jaipur.

To—

M/s.....

Sub:—Order for allotment of factory shed/plot in the Industrial Estate .....

The Allotment Board constituted vide rule 4 of the Rajasthan State Aid to Industries (Allotment of sheds) in Industrial Estates Rules, 1964 has in its meeting held on.... allotted you one/two factory shed/sheds, plot/plots No.... in the Industrial Estate .... for setting up.... industry on the following terms and conditions:—

1. That you will have to give an undertaking that you neither possess more than two Industrial shed in any of the Industrial Estates in Rajasthan and nor are you a partner in any business/businesses which is are being carried on in more than two sheds in any Industrial Estate in Rajasthan.

2 That you will take over possession of the above mentioned shed, allotted to you within seven days from the date of receipt of communication requiring you to take over the possession.

3. That in case of your failure to take over the possession as indicated at No. 2 above, the earnest money deposited by you will stand forfeited.

4. That you agree to pay rent of the said shed/plot as fixed or to be fixed by the Government from the date of possession of the shed/plot is validly delivered to you according to the Rajasthan State Aid to Industries in Industrial (Allotment of sheds) Estates Rules, 1964.

5. That you agree to execute the lease deed as prescribed by the Government in this behalf immediately to enable the possession of the shed/plot to be delivered to you and also to furnish such security or two sureties for due payment of rent fulfilment of the conditions of the lease deed.

6. That you agree that this allotment shall be governed by the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estates) Rules, 1964 (as may be amended from time to time).

7. That you agree to the inspection of your premises by the Director of Industries. Joint Director, Industrial Estates, Manager, Industrial Estate or any of the members of their staff authorised for the purpose on any working day during the working hours and also to show and make available to these officers such of the manufacturing stores and other accounts as may be required by them.

In case the allotment of the said shed/plot No.... ..is acceptable to you on the terms and conditions mentioned above you are required to convey your acceptance within a period of fifteen days from the date of receipt of this order, on the accompanying form, failing which the said allotment may be treated as withdrawn and the earnest money deposited by you will be forfeited. You are also required to give your choice if the shed is required on lease basis or on hire purchase basis and also to take immediate action for execution of the lease deed.

Director of Industries and Supplies  
Rajasthan, Jaipur.

FORM I. E. (5)  
(See rule 8)

From

M/s. . . . .  
... ..  
... ..

To

The Director of Industries and Supplies,  
Rajasthan, Jaipur.

Sub:—Allotment of Industrial Shed/Plot No.... ..in the  
Industrial Estate ... ..

Sir,

I/we accept the allotment of Shed/Plot No ... ..in the  
Industrial Estate ... ..on the terms and conditions

mentioned in your letter No.... dated.... It is requested that possession of the said Shed/Plot No.... may be arranged to be delivered to me/us. I/we hereby express my/our choice to have the above mentioned shed allotted to me/us on lease basis/hire-purchase basis.

As required in condition No. 1 of the allotment order referred to above, I/we hereby state on Solemn affirmation that I/we have not been allotted more than two Sheds including the shed allotted now in any of the Industrial Estates in Rajasthan. I/we also undertake that I/we, am/are not partner/partners in any of business/businesses which are being carried on in more than two sheds in any of Industrial Estate in Rajasthan.

I/we agree to abide by the provisions of the Rajasthan state Aid to Industries (Allotment of sheds) in Industrial Estates Rule, 1964.

Yours faithfully,  
Dated.... for M/s.....

FORM IE (6)  
(See rule, 9)

From  
M/s....  
To

The Director of Industries and Supplies  
Rajasthan, Jaipur.

Sub:—Possession of Shed/Plot No.... Allotted  
to M/s ...

Sir,  
On account of my/our having accepted the allotment of Shed/Plot No.... in the Industrial Estate... on the terms and conditions noted in the allotment order No ... dated.... the possession of said Shed/Plot No.... has this... day of... 196... been delivered to me/us and I/we have assumed the valid possession thereof on the said... day of... 196...

Yours faithfully,

Dated the ..

FORM IE (7)

[See rule 10 (d)]

FORM OF LEASE OF A SHED IN THE INDUSTRIAL  
ESTATE....

This indenture of lease is made this... day of... 196... between... of... (hereinafter called

the lessee which expression shall, unless excluded by or repugnant to the context, include his heirs, successors, executors, administrators and assigns) of the first part and the Governor of the State of Rajasthan (here-in-after called 'the lessor' which expression shall unless excluded by or repugnant to the context include his successors in office and permitted assigns) of the second part and (1) .... (2) ....  
 .... (hereinafter called the 'sureties') of the third part.

Whereas the lessor has agreed to grant and the lessee has agreed to accept the lease of all that piece of land together with the shed with fixtures and fitting being Industrial shed No. .... and more particularly described in the annexed schedule hereunder written (hereinafter called the premises) upon the conditions hereinafter appearing.

NOW THIS INDENTURE WITNESSETH AS FOLLOWS :

1. That the lessor agrees to let the said premises and the lessee has agreed to occupy the said premises for a period of 30 years on a monthly rent to be fixed by the lessor subsequently, the provisional rent being Rs .... per month, for the purpose of.... for which lessee had applied.

2. That the possession of the said premises has been delivered/shall be delivered by the lessee against an acknowledgment.

3. That the lessee hereby covenants with the lessor as follows :

(a) That the lessee shall duly pay the stipulated rent of the said premises to the lessor or his authorised agent in advance on or before the 10th day of each calendar month for which the rent is due, at the office of Industrial Estate or such other place or places as the lessor may from time to time appoint. The rent is aforesaid includes property tax only.

(b) That the lessee shall during the said term pay except as aforesaid, all taxes, rents, assessments and other charges and outgoings not payable or hereinafter to become payable in respect of the premises.

(c) That the lessee shall utilise the said shed for the purpose of setting up ..... industry for which it has been allotted to him, and that at no time the shed shall be used for any purpose other than running a small scale industry. The lessee further agrees to start production in the shed within a period of six months from the date of delivery of possession to him. In case the lessee suspends or closes running of the indu-

stry for a period exceeding six months, the lessor shall terminate the lease by giving one month's notice and resume the possession of the shed.

(d) That the lessee shall not carry out any additions/alterations to the premises without the lessor's prior written consent.

(e) That the lessee shall not sub let, under-let, sell, mortgage or otherwise deal with or part with possession of the premises or any right or interest therein without the prior written consent of the lessor.

(f) That the lessee shall comply with all the rules, regulations and laws in force from time to time in respect of the working of the premises as a factory. The lessee shall also abide by the provisions of the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estates) Rules, 1964, as amended by the Government from time to time.

(g) That the lessor shall be responsible for the repairs and maintenance of the said shed but the damages if any caused to the shed shall be got repaired by the lessee within one month or the lessor shall get it done and recover cost from the lessee. The lessee further agrees to keep the premises neat and clean and also to equip the shed with a fire extinguisher.

(h) That the lessee shall deliver possession of the said premises to the lessor at the expiry of the term or earlier determination thereof and shall deliver the premises in the same condition in which the same were when the lessee was put in the possession of the same except for any additions and alterations allowed under 3 (d) above. If the premises require any additions or alterations to suit the particular needs of processes and functions of the factory, the same will be undertaken by the lessee at his own cost after obtaining the written permission of the lessor. Necessary plans for such additions and alterations shall be made on the responsibility of the lessee as regards cost and pursuing them for obtaining approval.

(i) That the lessee shall not carry any offensive trade or manufacture on the premises.

(j) The lessee shall,

- (i) furnish all information and periodicals reports & returns pertaining to the industry set up in the shed as required by the Director or any other officer of the Industries Department connected with the affairs of the Industrial Estate, where the shed is situated.
- (ii) permit access in the shed to any person or persons nominated by the Director to inspect running of the industry; and

(iii) comply with the instructions issued from time to time by the Director or any other officer connected with the affairs of the Estate, where the shed is situated.

(k) The lessee shall have an option to renew the said lease for a further period of 30 years on a rent to be determined by the lessor which will not however be more than double the rent in the preceding period.

4. That both the lessor and the lessee will be at liberty to terminate the lease by giving to the other three months notice in WRITING OF ITS INTENTION TO SO TERMINATE THE LEASE PROVIDED THAT, IF THE LESSEE COMMITS BREACH OF ANY OF COVENANTS HEREIN CONTAINED, it shall be lawful for the lessor to terminate the lease forthwith and the decision of the lessor as to whether the lessee has committed any breach or not shall be final and binding upon the lessee.

5. AND IT IS HEREBY DECLARED that the cost and expenses incidental to the preparation, execution and registration of this lease including stamp duty shall be borne and paid by the lessee.

6 That if the rent hereby reserved or part thereof shall be unpaid, for a period of two months after becoming due (whether formally demanded or not) or if the lessee becomes insolvent and/or goes into liquidation voluntarily or otherwise if there be any attachment on the premises or if the lessee commits breach of any covenants and conditions, then and in any of such cases, it shall be lawful for the lessor to re-enter upon the premises or any part thereof in the name of the whole.

7. The sureties at the request of the lessee and in consideration of the lease does hereby covenant with the lessor that the lessee shall duly pay the rent reserved hereunder and perform all the covenants and conditions herein contained and on the part of the lessee to be observed and performed and if the lessee commits default in payment of rent on the appointed day and shall otherwise commit breach of any of the terms and conditions herein contained, the sureties shall pay to the lessor on demand and without demur all sums as the lessor on demand, may require the sureties to pay with interest thereon at the rate of 6% from the date of demand till payment (and the decision of the lessor as to whether what amount is payable by the sureties to the lessor and whether the lessee has committed any breach as aforesaid shall be final and binding upon the sureties) PROVIDED THAT in no case the liability of the sureties hereunder will be exceeded a sum of Rupces..... with interest thereon at the aforesaid rate.

8. That the lessor shall have the fullest liberty without affecting the liability of the surety hereunder to postpone for for any time and from time to time any of the powers exercisable by it against the lessee and either to enforce or forbear any of the terms and conditions herein contained and the surety shall not be released from the liability here-under by any exercise of liberty by the lessor with reference to the matters aforesaid or by reason of time being given to the lessee or by any other Act or forbearance or commission on the part of the lessor or by any other matter or thing, whatsoever, which under the law relating to sureties would, but for these provisions, have the effect of so releasing the sureties from their liabilities.

\*9. If, instead of furnishing surety/sureties, the lessee furnishes to the Government, cash security for due payment of rent and observance and performance of the several conditions and covenants herein contained and in the event of breach, it shall be lawful for the lessor to forfeit whole or part of the security deposit.

In case the surety dies or becomes insolvent or otherwise becomes incapable of fulfilling his obligations, the lessor may require the lessee to substitute fresh surety and the lessee shall furnish to the lessor fresh guarantee from such persons as may be the approved lessor.

10. That all dues payable to the Government, if not paid within a period of one month from the date of demand, shall be recoverable from the lessee or his surety at the discretion of the Government as arrears of land revenue under P. D. R. Act.

\*Note:—Reference to a surety occurring under the mark of an asterisk shall be deleted if a cash security is furnished. Reference to cash security occurring under the mark of an Asterisk shall be deleted if a personal surety is provided. Strike off whichever inapplicable.

#### ANNEXURE TO THE LEASE FORM (DESCRIPTION OF THE SHED)

Factory building No..... situated in Industrial Estate..... bounded on the East by ... on the North by ... on the south by..... and on the West by ..... on an area of .. ft. x ..... ft. having covered area of... sq. ft. and a compound measuring... ft. x ..... ft. bounded by a wall and having the following buildings in the compound:—

(a) Block of Bath, measuring.....ft. x..... ft.

(b) Block of Laterine, measuring.....ft. x.....ft.

(c) Urinal measuring.... ft. x .....ft.

together with the fixtures and fittings listed separately.



IN WITNESS WHERE OF THE PARTIES HERETO have put their respective hands the day and the year hereabove written in the manner indicated below:—

1. Signed for and on behalf of the State of Rajasthan in the presence of:—

Signature ... ..  
Director of Industries & Supplies.  
Rajasthan, Jaipur.

Witness:

(a) Name: (b) Address : (c) Date :

2. Signed for and on behalf of the lessee in the presence of:

Signature : ... ..  
for, M/s ... ..  
(Prop./Partner/Director/Manager).

Witness :

(a) Name : (b) Address : (c) Date :

3. Signed by the sureties in the presence of :

(Surety No. 1) (Surety No. 2)

Signature ; ... .. Signature : ... ..

Address : ... .. Address : ... ..

Date : ... .. Date : ... ..

Witness :

(a) Name :

(b) Address :

(c) Date :

Witness :

(a) Name :

(b) Address :

(c) Date :

FORM NO. I. E. (8)

( See rule 11 (ix) )

## HIRE-PURCHASE AGREEMENT OF A SHED IN THE INDUSTRIAL ESTATE ... ..

This agreement is made on the .....day of..... 19 between..... (hereinafter called 'the hirer') which term shall, unless excluded by or repugnant to the context, include his heirs, successors, executors, administrators and assigns of the first part and the Governor of the State of Rajasthan ( hereinafter called 'owner' ) which expression shall, unless excluded by or repugnant to the context, include his successors in office and permitted assigns of the second part.

\*Whereas the hirer who is already in possession of shed No..... in the Industrial Estate.. .. more particularly described in the schedule hereto, on lease basis and has now opted for hire-purchase of the said shed in accordance with the rule 12 of the Rajasthan State Aid to Industries ( Allotment of sheds in Industrial Estates ) Rules, 1964 and whereas the owner has agreed to provide him the said shed on hire purchase basis:

## NOW THIS DEED WITNESSTH AS FOLLOWS

1. That the physical possession of the shed and not the title and other rights shall be treated to have been delivered to the hirer on ... i. e, the date when the shed was originally made available on lease basis,

or

\*Whereas the hirer on his application has been allotted a shed No ..... in the Industrial Estate ... more particularly-described in the schedule hereto for setting up a.... industry and whereas he has opted to have this shed on hire purchase basis under the Rajasthan State Aid to Industries ( Allotment of sheds in Industrial Estate ) Rules, 1964, and whereas the owner has agreed to provide him the said shed on hire purchase basis with the stipulation to transfer the ownership to the hirer on payment of instalments here-in-after provided.

( \*Strike off whichever is inapplicable. )

## NOW THIS DEED WITNESSETH AS FOLLOWS :

1. That the physical possession of the said shed and not the title and other rights has been delivered by the owner to the hirer for the afore-said purpose on ...

2. That the hirer hereby covenants with the owner as under:—

(a) That the hirer shall pay to the owner or his authorised agent at such place and time as may be prescribed by the owner, 20% of the cost of the shed as is fixed by the owner provisionally in the first instance and then finally in advance as initial instalment. The remaining amount of the cost of shed coupled with interest @ 6% per annum shall be payable by the hirer in 15 equal annual instalments. Each instalment shall be paid within one month from the date of expiry of each anniversary to be reckoned from the date of (i) delivery of possession to the hirer, (ii) allotment on hire purchase basis comes into force. On request of the hirer for the reasons beyond his control to pay the instalment within the prescribed time limit, the Director, may, if he deems proper, grant two months further extension.

(b) On payment of the instalments referred to in clause (i) above, for a period of 15 years and on compliance with the terms and conditions of this deed, the hirer shall be entitled to acquire ownership of the said shed on payment of a sum of Rs 1/ to the owner as a consideration for the exercise of the said option, on receipt of which the said hirer shall be deemed to become the full owner of the property demised and the owner

shall be bound to convey, transfer and sell in consideration of the receipt the instalment referred to in clause (i) above as well as the amount received in respect of the option exercised by the hirer, and in consideration of the agreement to transfer the ownership of the said shed, pursuant of this deed, upto the said hirer at his expense by way sale deed, all rights, title and interest heretofore vested in the owner and cause the shed to be registered at the expense and instance of the said hirer hereinafter becoming the owner of the said shed.

(c) In case of the failure of the hirer to pay any of the instalments within the prescribed time limit as mentioned in clause (i) above the owner or his authorised agent or the Director of Industries & Supplies, Rajasthan Jaipur shall be entitled to terminate this agreement. But before terminating this agreement, the authorities referred to above shall have to serve one month's notice on the hirer. In case instalment due is paid within the notice period such period shall be treated as a further extension over and above two months referred to above and a penal interest @ 1% per annum shall be charged for the entire period for which default has been made. In case the agreement is terminated, the shed shall be treated to have been with the hirer on lease basis according to the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estates) Rules, 1964 and the terms and conditions of the lease deed [Form No. E (7) to the said rules] will be binding upon the hirer and the amount of instalments paid till the date of termination of the agreement shall be adjusted towards the payment of lease money of the said shed in accordance with aforesaid rules.

(d) If at any time during the period of 15 years, the hirer is desirous of terminating the agreement, he may do so by serving a three months' notice on the Director of Industries, Rajasthan, Jaipur. In this case the amount of instalments paid or to be paid by the hirer shall stand forfeited.

(e) The hirer shall not during the period of 15 years sub-let, under-let, mortgage or in any other way deal with or part with, the possession of the shed.

(f) The hirer shall exclusively utilise the said shed for setting up the industry for which permission has been accorded or may hereinafter be accorded by the Board constituted under rule 4 of the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estates) Rules, 1964 and shall start production in the said shed within a period of six months from the date of transfer of possession to hirer. The Director of Industries, Rajasthan may, however, at the request of the hirer extend this time limit for a further period of three months.

(g) The hirer shall during the period of 15 years, keep the shed in a condition of good repairs. In the event of failure of the hirer to do so, the owner shall get the same repaired and recover the cost from the hirer, who shall pay such amount of repairs within a period of one month of the receipt of notice to make such payment and any failure to pay will constitute a breach of the terms and conditions of this agreement.

(h) The hirer shall, till all the instalments referred to in clause (1) are paid, keep the shed insured in the name of the Director of Industries against loss or damage by fire and all other risks as the Director of Industries may require in the term of Rs. .... (cost of shed) in an approved Insurance Office and shall deposit with the Director of Industries all such insurance policies and receipts for payment of the premium.

In case, however, of destruction by fire or material demolition thereof whether by act of nature or otherwise of the shed the owner shall re-built, re-erect or effect such major repairs within six months of such destruction and as such shall be entitled to receive the amount of claim from the insurer.

(i) All the taxes, water and electricity and other dues including the property tax payable on the said shed shall be paid by the hirer.

(j) The hirer agrees to abide by the following conditions even after the rights, title and ownership of the said shed has been transferred to the hirer by the owner on payment of all the instalments and other dues arising out of this agreement.

1. The shed shall exclusively used for the purpose of small scale industry for which it has been provided and for no other purpose.

2. The hirer shall not sell, mortgage or in any other way transfer or part with the possession of the said shed without the consent of the Director of Industries, Rajasthan.

3. Breach of any of the conditions (1) and (2) above shall entitle the Director of Industries to resume the possession of the shed and in that case the price as is deemed proper by the owner shall be payable to the hirer. In any case the cost so payable to the hirer shall not exceed the actual cost of the shed originally paid by the hirer to the owner.

(k) The real object of the allotment of shed being the development of Industries in Rajasthan, the owner shall be entitled to terminate this agreement if at any time during the period of 15 years of hire or thereafter when the ownership has been transferred to hirer, it is found that the hirer has suspended the manufacturing operations for a period exceeding six months and in that case he shall resume the posse

ssion of the shed by giving one month's notice to the hirer. If this contingency arised during the period of 15 years of hire, the amount paid by the hirer by way of instalments shall stand forfeited. In case it happens after the ownership has been transferred to the hirer, the cost shall be payable to him in the manner indicated in clause (j) (iii) above.

(1) The hirer shall abide by the provisions of the Rajasthan State Aid to Industries (Allotment of sheds in Industrial Estate) Rules, 1964 as amended by the Government from time to time.

(m) The hirer shall:

(1) furnish all information and periodical returns and reports pertaining to the industry set-up in the shed as required by the State Director or any other Officer of the Industries Department connected with the affairs of the Industrial Estates where the shed is situated;

(2) permit access in the shed to any person or persons nominated by the State Director of Industries to inspect running of the industry and

(3) comply with the instructions issued from time to time by the State Director of Industries or any other officer connected with the affairs of the Estate where the shed is situated.

(n) The hire Purchaser agrees that:—

(1) the land on which the aforesaid shed has been built shall be on lease hold basis as per Rajasthan Industrial Areas Allotment Rules, 1959.

(2) the word 'shed' occurring in this agreement shall mean the structure excluding the land on which it is built.

(3) the cost of shed shall be exclusive of the cost of land.

(4) the hire purchaser shall execute a separate lease deed in favour of Government and also pay development charges and lease money in respect of the land covered by the shed besides payment of hire purchase instalments fixed in respet of shed.

3. The cost and expenses incidental to the preparation and execution of this agreement including stamp duty etc. shall be borne and paid by the hirer.

In witness whereof the parties hereto have set their respective hands on the dates mentioned against their signatures.

1. Witness .....

dated.....

2. Witness.....

dated .....

1. Signature for and on behalf of the State of Rajasthan.

.....  
dated.....

2. Signed by the said hirer

.....  
dated the.....

**SCHEDULE TO FORM No. IE. (8) HIRE PURCHASE AGREEMENT**

Shed No.... in the Industrial Estate  
 bounded on the North by.... South by ... East by....  
 and West by.... on an area of .. ft. x.... ft.  
 having covered area of.... sq ft. and a compound  
 measuring .. ft. x.... bounded by a wall and having  
 the following buildings in the compound:—  
 (a) Block of Bath measuring ... ft. x.... ft.,  
 (b) Block of latrine measuring ... ft. x .... ft.,  
 (c) Urinal measuring ... ft. x.... ft.

\*Note:—Strike off whichever is inapplicable.

**FORM No. IE (9)**

(See rule 12)

**FORM OF OPTION TO BE GIVEN BY AN  
 EXISTING LESSEE OF SHED FOR ALLOTMENT  
 OF SHED ON HIRE PURCHASE BASIS**

From

....  
 ....

To

The Director of Industries & Supplies, Rajasthan, Jaipur

No.....

Sub.—Option under Rule 12 of the Rajasthan State Aid to  
 Industries (Allotment of sheds in industrial Estates)  
 Rules, 1964.

Sir

We are in possession of shed No ..... in the Industrial  
 Estate ..... since .. allotted to us on lease basis. We  
 hereby give our option this..... day of..... 19 under  
 rule 12 of the Rajasthan State Aid to Industries (Allotment of  
 sheds in industrial Estates) Rules, 1964 for allotment of this  
 shed to us on hire purchase basis.

We agree to abide by the Rajasthan State Aid to Indus-  
 tries (Allotment of sheds in Industrial Estates) Rules, 1964 and  
 particularly the condition with regard to the advance payment  
 of initial instalment of the cost of shed according to the provi-  
 sions of rule 12 of the rules referred to above.

Yours faithfully,  
 for M/s .....

(Prop/Partner/Director/Managing Director)

Signed by....  
 in my presence on .....

Joint Director/Regional Dy. Director/  
Distt. Ind. Officer/Manager Ind. Estate.

Copy to:—R.D.D/Distt. Industries Officer/Manager, Industrial  
Estate.

FORM I. E. (10)

[ See rule 14 (3) (iv) ]

LEASE DEED FOR ALLOTMENT OF LAND

This lease made on the ... .. day of ... ..  
...19 . BETWEEN ... ..(hereinafter called 'the lessee')  
which expression shall, unless, excluded by or repugnant to the  
context include his heirs, successors, executors, administrators  
and assigns, of the first part and the Governor of the State of  
Rajasthan (hereinafter called the 'lessor') which expression shall  
unless, excluded by or repugnant to the context, include his  
successors in office and permitted assigns, of the second part.

WHEREAS the lessor, has agreed to grant and the lessee  
has agreed to accept the lease of a plot of land measuring... ..  
... acres situated.... ..(name of place) and more  
particularly described in the schedule hereto (hereinafter  
called the 'plot') upon the conditions hereinafter appearing.

*Now This Indenture Witnesseth as follows :*

1. That the lessor agree to let the said plot and the lessee  
has agreed to occupy the said plot for a period of ninety-nine  
years on rent hereinafter specified for the purpose of setting up...  
... .. industry for which the lessee had applied under  
provisions of Rajasthan Industrial Areas Allotment Rules,  
1959.

2. That the possession of the said plot is hereby delivered  
to the lessee.

3. That the population of the City/Town/Village where  
said plot is situated is below 10,000/above 10,000 and less than  
3 lacs/3 lacs and above, and the lessee has agreed to pay the  
rent of the said plot at the rate of Rs. 15/-, Rs. 30/-, Rs. 50/  
per acre per year which amounts Rs.... .. (Rupees.... ..)  
in the case of the said plot.

4. That the lessee hereby covenants with the lessor as  
under :

(i) That the lessee shall duly pay the stipulated rent of  
the said plot to the lessor or his authorised agent on or before  
the seventh day of each calendar year for which the rent is due  
at such place or places, as the lessor may from time to time  
prescribe.

(ii) The rent as aforesaid excludes all kinds of taxes which the Municipal Board, Panchayat or any other Civic body has imposed or may impose during the period of lease in respect of the said plot and the lessee agrees to pay such taxes to the authorities concerned direct.

(iii) The lessee hereby agrees to pay the lessor along with the rent for the first year a further sum of Rs.... (Rupees.... ) by way of development charges in accordance with the provisions of rule 3 (i)/(ii)/(iii)/(iv) of the Rajasthan Industrial Areas Allotment Rules, 1959.

(iv) The lessee shall set up in the said plot of land.... industry for which land has been leased to him by the lessor within a period of one year from the date of delivery of possession subject to the programme indicated below:—

1. Construction is started on the plot within a period of three months from the date of delivery of possession.

2. Construction is completed within next six months or such period as is extended by the Director of Industries.

3. Machinery is installed and production is started within next three months.

and in case of his failure to do so the said plot shall revert to the lessor unless the period of one year is extended by the lessor on valid grounds.

(v) The lessee shall construct, erect and build on the said plot of land only such buildings, sheds and structures as are required by him for setting up the industry aforesaid.

(vi) The lessee agrees not to construct or build any structures or buildings on the said plot of land or on a portion of it which may have the object of using it as a commercial under-taking other than for the industry aforesaid for which the said plot has been leased.

(vii) The lessee shall not sub-let, under-let or sell the said plot of land. He shall have the limited ownership on the said plot till the lease subsists and shall have the right of assignment only for the purpose of taking a loan subject however to the condition mentioned in sub clause (iv) above for the development of the industry for which the said plot has been leased to the lessee.

(viii) The annual rent as aforesaid shall be subject to revision after every thirty years and the enhancement in rent at each such revision shall not exceed 25% of the rent payable for the period immediately preceding such revision. The lessee hereby agrees to pay such enhanced rent to the lessor as a result of the revision aforesaid.



(ix) The lessee shall have an option to renew the said lease for a further period of ninety-nine years after expiry of the present term of lease.

(x) In case any default is made by the lessee in respect of any of the terms and conditions aforesaid, the said plot of land shall revert to the lessor and the lessee shall have to remove therefrom at his cost all the buildings and structures constructed by him thereon. In case of his failure to do so, the lessor shall have a right to dispose of the said structures and buildings in any way he likes and to refund the proceeds to the lessee after recovering all the sums due to him from the lessee.

(xi) The lessee shall:—

1. furnish all information and periodical reports and returns pertaining to the industry set up in the shed as required by the State Director of Industries or any other officer of the Industries Department connected with the affairs of the Industrial Area where the plot is situated.

2. permit access in the plot to any person or persons nominated by the State Director of Industries to inspect running of the industry.

3. comply with the instruction issued from time to time by the State Director of Industries or any other officer connected with the affairs of the Area where the plot is situated.

4. The cost and expenses incidental to the preparation, execution and registration of this lease including stamp duty shall be borne and paid by the lessee.

In witness whereof the parties hereto have set their respective hands on the dates mentioned against their signatures:

1. Witness :	1. Signed for and on behalf of the State of Rajasthan.
...	...
2. Witness :	2. Signed by the said lessee.
...	...
Dated ..	Dated....

### SCHEDULE

Plot of land measuring....	area ...	...being No.....
bounded by the North by....	...East by....	...
South by....	...and West by....	...situated in
Industrial Estate....	...	...

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*Rules and Notifications under*

RAJ. STATE CATTLE FAIRS ACT, 1963.

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# RAJASTHAN STATE CATTLE FAIRS, RULES, 1963.

*Notification No. F. 12 (238) Agr/IV/62.*—In exercise of the powers conferred by section 10 of the Rajasthan State Cattle Fairs Act, 1963, read with sections 3, 4, 6, 7, 9, 15 and 18 thereof, the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—These rules may be called the Rajasthan State Cattle Fairs Rules, 1963.

(2) They shall come into force upon their publication in the official Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires :—

- (a) “Act” means the Rajasthan State Cattle Fairs Act, 1963, (Rajasthan Act 14 of 1963);
- (b) “Cattle” means all or any of the animals specified in schedule II of the Act ;
- (c) “Fair Committee”, in relation to any State Cattle Fair, means the Fair Committee constituted under section 5;
- (d) “fair-tax” means a tax levied under Section 6;
- (e) “Form” means a form appended to these rules;
- (f) “Rawanna Office” means the office established by the Officer-in charge, in the fair area, for the receipt of fair-tax, tolls and other fees payable under the Act;
- (g) “Outpost” means an outpost established under rule 5;
- (h) “red chithi” means an entry pass, on a red paper, given by the in-charge of the outpost to the person bringing cattle within the fair area;
- (i) “section” means a section of the Act;
- (j) “white chithi” means a printed form of bill of sale, on a white paper, supplied by a person authorised in this behalf by the Officer-in-charge.

3. *Management and control*—(1) The management and control of the State Cattle Fair shall vest in the Officer-in-charge.

(2) The Officer-in-charge shall make or cause to be made necessary arrangements for:—

- (a) sanitation and control of diseases in the fair area; and
- (b) removal and sale of dead bodies of animals lying in the fair area, if their owners cannot be traced.

4. *Constitution of Fair Committees* (1) To assist the Officer in-charge in the performance of his duties, the State Government shall appoint, for each State Cattle Fair, a Fair Committee consisting of such members or nominated official members (including the Chairman and the vice-Chairman), not exceeding thirteen, and non-official members, not exceeding three, as the State Government may determine.

(2) The Collector of the District concerned shall be the ex-officio Chairman of the Fair Committee, and the Deputy Director of Animal Husbandry, of the region concerned shall be its ex-officio Vice-Chairman,

5. *Establishment of outpost.*—The Officer-in-charge shall establish such number of out-posts on or in the vicinity of the limits of the fair area as he shall from time to time determine as being most suitable for intercepting import traffic and for facilitating collection of fair-tax in accordance with these rules; and shall also appoint suitable persons to be in-charge of each of such out-posts.

6. *Import of cattle through prescribed routes.*—No person shall bring or take out Cattle into or out of the fair area except through the route or routes fixed for the purpose by the Officer-in-charge.

7. *Entry pass.*—No person shall bring any cattle within the fair area, during the fair period, without obtaining a red Chithi from the out-post.

8. *Purchase without obtaining white Chithi forbidden.*—No person shall purchase cattle in the fair area, during the fair period, without obtaining a white chithi duly executed by the vendor evidencing such sale.

9. *Payment of fair-tax.*—(1) Fair-tax payable by any person in respect of any cattle purchased by him, in the fair during the fair period, shall be paid by him in the Rawanna office; and along with such payment, he shall present the white chithi obtained by him from the vendor.

(2) The cashier at the Rawanna Office shall deliver a receipt, in writing to the payer acknowledging payment of such tax.

10. *Levy and payment of tolls.*—Toll shall be levied and charged at the following rates on the vehicles entering the fair area for business purposes:—

- |                   |                      |
|-------------------|----------------------|
| (a) Carts ... ..  | Rupée one per cart.  |
| (b) Tongas ... .. | Rupees two per tonga |
| (c) Truck ... ..  | Rupees ten per truck |

11. *Fixation of rents of sites.*—The Officer-in-charge shall fix rent of sites in the fair area, for the fair period, in the following manner, namely:—

(a) For shops or for sites of stalls, the rent shall be determined at the highest public auction; provided that the minimum reserve rent shall not be less than rupee one for every ten sq. ft. of land.

(b) For sites for keeping fodder, fuel or earthen pots, the rent shall be fixed at the rate of ten naya paisa for every ten sq. ft. of land.

(c) For sites occupied by carts containing chillies or sugarcane etc. for sale, the rent shall be fixed at the rate of Rs. 5/- per cart.

(d) For sites for recreation or entertainment, where such recreation or entertainment is provided on payment,—

(i) if the area allotted does not exceed ten naya paisa per sq. ft. 500 sq. ft. of land.

(ii) if the area exceeds 500 sq. ft. for five naya paisa per sq. ft. every sq. ft. of land in excess of 500 sq. ft.

(e) for sites for other purposes, the Officer-in-charge shall fix the rent in consultation with the Fair Committee.

12. *Distress and sale.*—Simultaneously with the issue of bill, under sub-section (1) of section 15 for the amount due or about to become due against any person, or on the failure of such person to pay such amount on presentation to him of such bill demanding immediate payment thereof, the Officer-in-charge may issue a warrant of distress in Form. 1 addressed to any one of his sub-ordinates (hereinafter called the Serving Officer)

(2) If the person against whom the amount is claimed, hereinafter called the debtor, fails, on the presentation to him of a bill referred to in sub-rule (1), to pay forthwith the sum stated therein, the Serving Officer shall, in pursuance of the said warrant of distress, seize animals or other movable property in the possession of the debtor or such number of animals or part of movable property as may, in his opinion, be sufficient to cover the amount recoverable under the distress warrant.

(3) On seizing any animals or movable property under sub-rule (2), the Serving Officer shall make an inventory of such animals or property and shall give a notice in writing in Form 2 to the debtor and shall submit a copy of the same to the Officer-in-charge.

(4) In default of any order to the contrary by the Officer in-charge, the Serving Officer shall, after expiration of 24 hours

from the seizure of animals or movable property, sell the distrained animals or other property in public auction and on realizing the proceeds, pay over the amount to the Officer-in-charge; and such amount shall first be applied first in payment of costs of the said distress (including expenses incurred for the maintenance of Live-stock distrained) and then in satisfaction of the amount recoverable under the Act; and the surplus, if any, shall be returned to the debtor.

### FORM I

(See rule 12 (1))

Office of the officer-in-charge .....State Cattle Fair.

### FORM OF WARRANT

I hereby direct you to 'distrain animals or other movable property in the possession of ..... at..... for the sum of Rs..... according to the provisions of rule 12 of the Rajasthan State Cattle Fairs Rules, 1963.

*Signed and sealed.*

To....

### FORM II

(See rule 12 (3) )

### FORM OF INVENTORY AND NOTICE

(State particulars of property seized)

Witness : 1

Witness : 2

Take notice that I have this day seized, in the presence of the above witnesses, animals/movable property contained in the above inventory for the sum of Rs.....being the amount recoverable from you under a warrant of distress issued by the Officer-in-charge, and that unless you pay the amount thereof within 24 hours from the date and time of distress or obtain an order from the Officer in-charge to the contrary, the same will be sold pursuant to the provisions of the Rajasthan State Cattle Fairs Rules, 1963, Dated the..... day of .....19 .....

*Serving Officer*

To .....

.....

## Agriculture (IV) Department

Jaipur, June 28, 1965]

**Notification No. F. 12 (238) Agr. IV/62.**—In exercise of the powers conferred by section 10 of the Rajasthan State Cattle Fairs Act, 1963 (Rajasthan Act 14 of 1963) read with sections, 3, 4, 6, 7, 9, 15 and 19 thereof, the State Government hereby makes the following amendments to the Rajasthan State Cattle Fairs Rules, 1963, namely :—

## AMENDMENTS.

In the said rules;—

I. For sub-rule (1) of rule 4 the following shall be substituted namely :—

“(1). To assist the officer-in-charge in the performance of his duties, the State Government shall appoint for each State Cattle Fair, Fair Committees consisting of such members of nominated official members (including the Chairman and Vice-Chairman) not exceeding thirteen and non-official member, not exceeding eight (including the Pramukh, Pradhan and M. L. A.) of the concerning area, as the State Government may determine.”

II. After sub-rule (2) of rule 4 the following new sub-rule shall be added, namely :—

“(3) The Committee shall have power to appoint Sub-Committees to perform any of the functions given to the Committee or for any of the following purposes :—

- |                      |                            |
|----------------------|----------------------------|
| (1) Water and Light. | (2) Health and Sanitation. |
| (3) Exhibition.      | (4) Cultural shows.”       |

2. In rule 10 ;

After clause (c), the following clause shall be added, namely :—

“(d) Passengers buses.....Rupees Ten per Bus.”

3. In rule 11;

(i) the words “ten naye paise” occurring in clause (b) shall be substituted by words “Rs. 1/-”.

(ii) for clause (d) the following shall be substituted, namely :—

“(d) for sites for recreation or entertainment where such recreation or entertainment is provided on payment, the rent shall be fixed at the rate of Rs. 1/- for 10 sq. feet.”

## Agriculture (IV) Department

Jaipur, June 28, 1965.

*Notification No. F. 12 (238) Agr./IV/62.*—In exercise of the powers conferred by section 10 of the Rajasthan State Cattle Fairs Act, 1963 (Rajasthan Act 14 of 1963), read with sections 3, 4, 6, 7, 9, 15 and 19 thereof, the State Government hereby makes the following amendments to the Rajasthan State Cattle Fairs Rules, 1963, namely :—

## AMENDMENTS

In the said rules,

1. For sub-rule (1) of rule 4, the following shall be substituted, namely :—

“(1) To assist the officer-in-charge in the performance of his duties, the State Government shall appoint for each State Cattle Fair, Fair Committees consisting of such members of nominated official members (including the Chairman and Vice-Chairman) not exceeding thirteen and non-official members, not exceeding eight (including the Pramukh, Pradhan and M. L. A.) of the concerning area; as the State Government may determine”.

II. After sub-rule (2) of rule 4 the following new sub-rule shall be added, namely:—

“(3) The Committees shall have power to appoint sub-Committees to perform any of the functions given to the committee or for any of the following purposes.

- (1) Water and Light.
- (2) Health and sanitation.
- (3) Exhibition.
- (4) Cultural Shows.

2. In rule 10;

After clause (c), the following clause shall be added, namely :—

“(d) Passengers Buses..... Rupees Ten per bus.

3. In rule 11;

(i) the words ‘ten naye paise’ occurring in clause (b) shall be substituted by the words ‘Re. 1/-’

(ii) for clause (d) the following shall be substituted, namely :—

“(d) for sites for recreation or entertainment where such recreation or entertainment is provided on payment, the rent shall be fixed at the rate of Re. 1/- for 10 sq. feet.”



Agriculture (IV) Department

Jaipur, April 20, 1967

*Notification No. F. 12 (238) Agr /IV/62.*—In exercise of the powers conferred by section 10 of the Rajasthan State Cattle Fairs Act, 1963 (Rajasthan Act 14 of 1963) the State Government hereby makes the following rules further to amend the Rajasthan State Cattle Fairs Rules, 1963, namely :—

1. *Short title.*—These rules may be called the Rajasthan State Cattle Fairs (Amendment) Rules, 1967.

2. *Amendment of rule 11.*—In clause (b) of Rule 11 of the Rajasthan State Cattle Fairs Rules, 1963 for the expression “Re. 1/-” the expression ‘30 paise’ shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 22-6-67-Page 242]

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*Rules and Notifications under*

STATE FINANCIAL CORPORATION ACT, 1951.  
( CENTRAL ACT No. 43 OF 1951 ).

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# RAJASTHAN FINANCIAL CORPORATION GENERAL REGULATIONS, 1956.

## Rajasthan Financial Corporation GENERAL REGULATIONS

7th February, 1956.

No. RFC/G/R/56.—In exercise of the powers conferred by Section 48 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Board of Directors of the Rajasthan Financial Corporation, after consultation with the Reserve Bank of India and with the previous sanction of the Government of Rajasthan has made the following Regulations, namely

### CHAPTER I.

#### Introductory

1. *Short Title*—These Regulations may be called the Rajasthan Financial Corporation General Regulations.

#### Notes.

These regulations have been framed on the authority of section 48 of the Act which reads as under :—

(1) The Board may, after consultation with the Reserve Bank and with the previous sanction of the State Government, make regulations not inconsistent with this Act and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for—

(a) the holding and conduct of elections under this Act, including the final decision on doubts or disputes regarding the validity of elections;

(b) the manner in which, and the conditions subject to which, the first allotment of the shares of the Financial Corporation shall be made;

(c) the manner in which, and the conditions subject to which, the shares of the Financial Corporation may be held and transferred and generally all matters relating to the rights and duties of shareholders;

(d) the manner in which general meetings shall be convened, the procedure to be followed thereat and the manner in which voting rights may be exercised;

(e) the calling of meetings of the Board and of the Executive Committee, fees for attending meetings thereof and the conduct of business thereat;

(f) the manner and terms of issue and repayment of bonds and debentures by the Financial Corporation;

(g) the conditions which the Financial Corporation may impose in granting loans or advances;

(h) the manner of determining the sufficiency of the security taken under subsection (2) of section 25;

(i) the forms of returns and statements required under this Act;

(j) the duties and conduct of officers, other employees, advisers and agents of the Financial Corporation;

(k) the establishment and maintenance of provident or other benefit funds for employees of the Financial Corporation;

(l) the taking over of the management of any industrial concern on a breach of its agreement with the Financial Corporation;

(m) the appointment of advisory committees for technical and other advice for the purposes of this Act; and

*These rules have been first Published in Raj. Raj-patra Dated February 11, 1956 part VII (b) at page 1.*

(n) generally, the efficient conduct of the affairs of the Financial Corporation.

(3) All regulation made under this section shall be published in the Official Gazette and shall come into force on such publication.

2. *Definitions.*—In these Regulations, unless there is anything repugnant in the subject or context :—

(a) "The Act" means the State Financial Corporations Act, 1951 (LXIII of 1951);

(b) "Section" means a section of the Act;

(c) "Corporation" means the Rajasthan Financial Corporation;

(d) Other expressions have the meanings respectively assigned to them in the Act.

## CHAPTER II

### Shares of the Corporation

Rules in this chapter have been framed with reference to the requirements of section 4 of the Act which reads as under :—

(1) The authorised capital of the Financial Corporation shall be such sum as may be fixed by the State Government in this behalf, but it shall in no case be less than fifty lakhs of rupees or exceed five crores of rupees.

(2) The authorised capital shall be divided into such number of fully paid-up shares as the State Government may determine and shall be issued to the parties mentioned in sub-section (3) at such times and in such manner as that Government may determine and each such share shall have the same face value.

(3) The State Government shall, with the approval of the Central Government, determine the number of shares which may, respectively, be distributed among—

(a) the State Government,

(b) the Reserve Bank,

(c) scheduled banks, insurance companies, investment trusts, co-operative banks or other financial institutions, and

(d) parties other than those referred to in clauses (a), (b) and (c).

Provided that the number of shares which may be allocated to the parties referred to in clause (d) shall in no case exceed twenty-five per cent of the total number of shares.

(4) Subject to the other provisions contained in this section, the allocation of shares among the parties referred to in clauses (c) and (d) of sub-section (3) and the allotment of such shares shall be made by the Financial Corporation in such manner as may be prescribed.

(5) If any shares allocated to any of the parties referred to in clauses (c) and (d) of sub-section (3) remain unsubscribed, they shall be subscribed for by the State Government, but the State Government may at any time thereafter dispose of the shares so subscribed for to any party who was eligible to subscribe for it in the first instance.

3. *Shares Movable Property.*—The Shares of the Corporation shall be movable property.

4. *Control over Shares.*—(i) Subject to the provisions of the Act and these Regulations, the shares will be under the control of the Board.

(ii) The decision of the Board as to whether or not a financial institution or a person is entitled to be registered as a shareholder under clauses (a) and (d) respectively of sub-section (3) of Section 4 of the Act shall be final.

5. *Parties who may not be registered as shareholders.*—Except as otherwise provided by these Regulations no minor or person who

has been found by a court of competent jurisdiction to be of unsound mind shall be entitled to be registered as a shareholder.

6. *Joint holding of shares.*—Except in the case of individuals the Corporation shall not recognise the joint holding of shares. In case of firms, shares shall be registered not in the name of individual firms, but only in the names of the partners of the firms.

7. *First allotment of shares.*—(i) Subject to the provisions of Section 4 of the Act, the first allotment of shares shall be made to applicants who are qualified to be registered as shareholders of the Corporation in accordance with sub-section (3) of Section 4 of the Act.

(ii) No application for allotment of shares shall be entertained unless an amount of at least 25 per cent of the full value of the Shares has been paid with the application.

(iii) The Board may make allotment to an applicant for shares either in full or in part, depending on the number of applicants from the class of shareholders to which he belongs. In so far as it is practicable, the Board shall make full allotment in respect of applications for smaller number of shares so that there may be as many shareholders of that class as possible; provided, however, that no allotment shall be made for a number of shares which is less than five, or which is not a multiple of five; and provided further that the number of shares that may be allotted to an applicant shall in no case exceed the number of shares allocated to the class of shareholders to which he belongs.

(iv) The decision of the Board as to whether on a particular application for shares, there shall be full, partial, or no allotment shall be final.

(v) If a person to whom shares have been allotted fails to pay the balance of the full value of shares due on the shares allotted to him by the date mentioned in the letter of allotment for the payment of the same, the amount paid with the application may be forfeited and the allotment treated as cancelled, and the Board may proceed to dispose of the said shares as if no allotment had been made in respect thereof.

(vi) For the purpose of making of the first allotment, there shall be committee of the Board consisting of the Chairman, the managing Director and one other Director who shall be appointed in this behalf by the Chairman. The Committee so constituted shall exercise all the powers of the Board in making allotments of the Shares.

8. *Share Register.*—(i) The Corporation shall maintain, at its Head Office, a register of shareholders qualified by the Act to be registered therein, and shall enter therein the following particulars:—

- (a) the name of each shareholder and a statement of the shares held by him distinguishing each share by its number;

- (b) the postal address of each shareholder or the address at which the shareholder has its principal place of business;
- (c) the clauses of sub section (3) of Section 4 of the Act under which the shareholder is qualified to be so registered and the class of shareholder to which he belongs;
- (d) the date on which each person is entered as a shareholder the manner in which he acquired his share and except in the case of first allotment, name of the previous holder of the shares, the date on which any person ceases to be a shareholder and the name of the person to whom and the section to which the shares are transferred.

(ii) A separate section shall be maintained in the share register for each class of shareholders.

(iii) In the case of joint holders of any shares. their names and the other particulars required by sub-regulation (i) shall be grouped under the name of the first of such joint holders.

9. *Trust not to be recognised.*—The Corporation shall deal with the Shareholders irrespective of whether they are full owners of their shares or trustees for some other person or persons. No notice of any trust expressed, implied or constructive shall be entered on the register.

10. *Exercise of righte of joint holders.*—If any share stands jointly in the name of two or more persons, the person first named in the register shall, as regards voting, receipt of dividends, service of notices and any other matter connected with the Corporation, except the transfer of the share, be deemed to be the sole holder thereof.

11. *Inspection of share register.*—(i) The share register maintained under regulation 8, except, when closed under the provisions of these regulations, shall be opened to the inspection of any shareholder free of charge at the Head Office of the Corporation during business hours subject to such reasonable restrictions as the Corporation may impose, but so that not less than two hours in each working day may be allowed for inspection.

(ii) A shareholder shall not have the right himself to make a copy of any entry in any such register, but may, except when the register is closed, require a copy of any such register or of any part thereof on prepayment therefor at the rate of 8 annas for every hundred words or fractional part thereof required to be copied.

12. *Closing of share register.*—The Board may, by giving notice by advertisement, close the share register for such periods (not exceeding six weeks in all during any year) as shall, in its opinion be necessary.

13. *Issue of Share Certificates free of charge.*—The State Government and the Reserve Bank shall each be entitled free of charge, to one certificate for all the shares registered in their names at each allotment. If any shares are allotted to the State Government in pursuance of sub-section (5) of Section 4 of the Act, an

additional certificate in respect of such shares shall also be issued free of charge to the State Government.

(ii) Every shareholder other than the State Government and the Reserve Bank shall be entitled, free of charge, to one certificate, for each 25 shares registered in his name and one additional certificate for the number of shares in excess of a multiple of 25 shares registered in his name at each allotment. A shareholder holding less than 25 shares shall be entitled free of charge, to one certificate for all the shares registered in his name at each allotment.

(iii) If any shareholder requires more certificate than the number to which he is entitled free of charge under this Regulation, he shall pay for each additional certificate the sum of rupee one.

(iv) In the case of shares held jointly by several persons delivery of the relative certificates to one of such joint holders shall be sufficient delivery to all, and the receipt therefor signed by any one of the joint holders shall effectively bind all the joint holders.

14. *Share Certificates.*—(i) Every share certificate shall be issued under the common seal of the Corporation.

(ii) Every share certificate shall bear a serial number and shall specify the number of shares in respect of which it is issued and their distinguishing numbers.

15. *Renewal of share certificates.*—(i) If any share certificate is worn out or defaced, or tendered for subdivision, then upon production thereof to the Head Office of the Corporation, it may order the same to be cancelled and have a new certificate or certificates issued in lieu thereof.

(ii) If any share certificate is alleged to be lost or destroyed, then upon production of such evidence of the loss or destruction thereof as the Board may consider satisfactory and upon such indemnity with or without security as the Board may require, a new certificate in lieu thereof shall be given to the party entitled to such lost or destroyed certificate and the person availing himself of the provisions of the clause shall also pay to the Corporation all the expenses incidental to the advertisement and investigation of evidence of loss or destruction and the preparation of the requisite form of indemnity as aforesaid.

(iii) For every certificate issued under this Regulation there shall be paid to the Corporation a sum of rupee one.

16. *Transfer of shares.*—(i) Subject to the restrictions contained in the Act and in these Regulations, shares shall be transferable, but every transfer shall be in writing in the following form:—

I/We— of— in consideration of the sum of Rs.— paid to me/us by— of— (here-in-after called "The transferee") do hereby transfer to the transferee the share/shares numbered— in the Rajasthan Financial Corporation to hold up to the transferee, and his/their executors, administra-

tors, and assigns, subject to the conditions laid down by/or under the Act on which I/We hold the same at the time of the execution hereof, and I/We, the transferee do hereby agree to take the said shares subject to the conditions laid down by/or under the Act and I/We, the transferee, request that I/We be registered in respect of the said shares in the share register of the Corporation.

As witness our hands .....day of.....

Transferor	(Name..... (Address.....
Witness	(Name..... (Address..... (Occupation.....
Transferee	(Name..... (Address.....
Witness	(Name..... (Address..... (Occupation.....

(ii) The instrument of transfer of shares shall be signed by the transferor and transferee or any persons duly authorised to do so on their behalf and shall be submitted to the Board and the transferor shall be deemed to remain the holder of such shares until the name of the transferee is entered in the shares register. Each signature to such transfer shall be duly attested by one witness who shall sign giving his address and occupation.

17. *Power to refuse recognition of instrument of transfer:—*(i) The Board may decline to recognise any instrument of transfer unless:

- a sum of rupees two is paid to the Corporation in respect thereof which sum shall not in any event be refunded,
- the instrument of transfer is accompanied by the certificate of the shares to which it relates; and
- the parties furnish such other evidence as the Corporation may reasonably require in connection with the transfer.

(ii) Upon receipt by the Board of an instrument of transfer with a request to register the transferee the Board shall make such enquiry as it may consider necessary to satisfy itself regarding the right of the transferor to make the transfer and the qualifications of the transferee to be registered as a shareholder.

18. *Transmission of shares in the event of the death, insolvency, etc. of a shareholder:—*The executors or administrators of a deceased sole holder of the shares, or the holder of a succession certificate issued under Part X of the Indian Succession Act, 1925, in respect of such shares, or a person in whose favour a valid instrument of transfer of such shares was executed by such person and by the deceased sole holder during the latter's life time, shall be the only person who may be recognised by the Corporation as having any title to the shares of the deceased shareholder. In the case of



the shares registered in the name of two or more holders, the survivor or survivors and on the death of the last survivor his executors or administrators, or any person who is the holder of a succession certificate in respect of such shares, or a person in whose favour a valid instrument of transfer of the shares, was executed by such person, and such last survivor during the latter's life time shall be the only person who may be recognised by the corporation as having any title to such shares. The Corporation shall not be bound to recognise such executors or administrators unless they shall have obtained probate or letters of administration, or other legal representation as the case may be, from a duly constituted Court in India having effect at the place where the share register of the Corporation is maintained; provided, nevertheless, that in any case where the Board shall in their absolute discretion think fit, it shall be lawful for the Board to dispense with the production of a succession certificate, letters of administration or such other legal representation upon such terms as to indemnity or otherwise as the Board may think fit.

19. *Corporation's lien on Shares.*—The Corporation shall have a first lien upon all shares registered in the name of each shareholder and upon the proceeds of sale thereof for his debts, liabilities and engagements solely or jointly with any other person to or with the Corporation whether the period for the payment, fulfilment or discharge thereof shall have actually arrived or not and such lien shall extend to all dividends from time to time declared in respect of such shares. Unless otherwise agreed the registration of a transfer of shares shall operate as a waiver of the Corporation's lien if any, on such shares.

20. *Shareholder ceasing to be qualified for registration.*—(i) It shall be the duty of any person registered as a shareholder, forthwith, upon ceasing to be qualified to be so registered to give intimation thereof to the Board.

(ii) The Board may, at any time, cause such enquiry to be made as it may consider necessary for ascertaining whether any person registered as a shareholder has ceased to be so qualified and upon being satisfied that any such person has ceased to be so qualified, it shall inform him that he is not entitled to be a shareholder of the Corporation. He will not be further entitled to the payment of any dividend on any such shares nor to exercise any of the rights of a shareholder otherwise than for the purpose of the sale of such shares, and the Corporation shall make an entry in the share register to that effect.

(iii) If the Board shall ascertain that a person who is not qualified to be a shareholder of the Corporation is registered, by inadvertence or otherwise, as a shareholder of the Corporation, it shall inform the shareholder that such shareholder is not entitled to the payment of any dividend on any such shares nor to exercise any of

the rights of shareholder otherwise than for the purpose of the sale of such shares, and shall make an entry in the share register to that effect.

(iv) A determination of the Board under this Regulation as to whether a person is qualified to be a shareholder or not shall be conclusive.

## CHAPTER III

### Meetings of Shareholders

#### *Notes.*

Section 36 of the Act reading as under provides for the general meeting of the share holders:—

(1) A general meeting hereinafter referred to as the annual general meeting shall be held annually at a place in the State where there is an office of the Financial Corporation within two months from the date on which the annual accounts of the Financial Corporation are closed and a general meeting may be convened by the Board at any other time.

(2) The shareholders present at the annual general meeting shall be entitled to discuss the annual accounts, the report of the Board on the working of the Financial Corporation throughout the year and the auditor's report on the annual balance sheet and accounts.

21. *Chairman of meeting.*—In this chapter the word "Chairman" means the "Chairman" of a meeting under Regulation 27.

22. *Annual General Meeting.*—The annual general meeting of the Corporation shall be held at the place where the Head Office of the Corporation is situated, or if so directed by the Board at such other place within the State where there is an office of the Corporation. Each annual general meeting shall be held within two months from the date on which the annual accounts of the Corporation are closed.

23. *Special General Meetings.*—(i) The Board may convene a special general meeting at such time and place as may be decided by the Board.

(ii) When it is necessary to hold a general meeting (other than the annual general meeting) for the purpose of holding an election such meeting shall be convened under the direction of the Board by the Managing Director, or in his absence by any other officer of the Corporation authorised by the Board in this behalf.

24. *Notice convening a General Meeting.*—A notice convening a general meeting signed by the Managing Director, or the Secretary of the Corporation, shall be published at least twenty-one days before the meeting in the official Gazette and at least one newspaper circulating in the State of Rajasthan.

25. *Business at General Meetings.*—(i) At the annual general meeting the following business shall be transacted, namely:—

- (a) reading and consideration of the annual accounts of the Corporation including the Profit and Loss account and the Balance Sheet for the year ending the previous 31st March together with a report by the Board on the working of Corporation throughout the year and the auditors' report
- (s) on the said balance sheet and accounts,

(b) election of the Auditor and the election, if any, of the directors under the Act.

(ii) No other business shall be transacted, or any other matter discussed, except with the consent of the Chairman or unless not less than five weeks' notice has been given of the same by the State Government, or the Reserve Bank or by at least ten other shareholders qualified to vote at such meeting. Such notice shall take the form of a definite resolution to be put to the meeting and the said resolution shall be included in the notice prescribed to be published under Regulation 24.

(iii) Except with the consent of the Chairman, no business shall be transacted or discussed at any special general meeting except the business for which the meeting has been specifically convened.

*26. Quorum at General Meetings.*—No business shall be transacted at any meeting of the shareholders, whether it is the annual general meeting or any other general meeting, unless a quorum of six shareholders entitled to vote at such meeting in person or by proxy or by duly authorised representative is present at the commencement of such business, and if within fifteen minutes from the time appointed for the meeting a quorum is not present, the Chairman may dissolve the meeting or adjourn it to the same day in the following week at the same time and place, and if at such adjourned meeting a quorum is not present, the shareholders who are present in person or by proxy or by duly authorised representative shall form a quorum;

Provided that no annual general meeting shall be adjourned to a date later than two months after the 31st March and if adjournment of the meeting to the same day in following week would have this effect, the annual general meeting shall not be adjourned but the business of the meeting shall be commenced either as soon within one hour from the time appointed for the meeting as a quorum may be present, or immediately after expiry of one hour from that time and those shareholders who are present in person or by proxy or by duly authorised representative at such time shall form a quorum,

*27. Chairman of General Meetings.*—(i) The Chairman of the Board or, in his absence a Director (other than the Managing Director) authorised by the Chairman in writing in this behalf shall be the Chairman at all general meetings and in default of such authorisation or in the absence of the Director so authorised, the meeting may elect any other Director to be the Chairman of the meeting.

(ii) The Chairman shall regulate the procedure at all general meetings, and in particular, shall have a full power to decide the order in which shareholders may address the meeting, to fix a time limit for speeches, to apply the closure when in his opinion any matter has been sufficiently discussed and to adjourn the meeting.

28. *Voting at General Meetings.*—(i) A shareholder, being one of the parties mentioned in clause (d) of sub-section (3) of section 4 of the Act and being an individual or his proxy attending a general meeting shall, for the purposes of identification and determining his voting rights, be required to sign and deliver to the Corporation a form to be prescribed by the Board giving the following particulars:—

- (a) his full name and registered address;
- (b) the registered numbers of his shares;
- (c) whether he is entitled to vote and the number of votes to which he is entitled in person or, as proxy.

(ii) A declaration by the Chairman of a general meeting that a resolution has been carried or rejected thereat upon a show of hands by those shareholders who are entitled to vote on the resolution shall be conclusive and an entry to that effect in the book of proceedings of the Corporation shall be sufficient evidence of that fact unless immediately on such declaration a poll be demanded in writing by three persons who are present at such meeting and are entitled to vote on the resolution.

(iii) If a poll be duly demanded, it shall be taken either at once or at such time and place and either by open voting or by ballot as the Chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. At such poll a vote shall be given by a shareholder entitled to vote either personally or by proxy or by duly authorised representative and the shareholders shall exercise the voting rights in accordance with the rules made in that behalf by the State Government.

(iv) The decision of the Chairman as to the qualification of any person to vote, and also in the case of a poll, as to the number of votes any person is competent to exercise, shall be final.

29. *Minutes of General Meetings;*—(i) The Corporation shall cause minutes of all proceedings of general meetings to be recorded in books kept for that purpose.

(ii) Any such minute, if signed by the Chairman of the meeting at which the proceedings took place or by the Chairman of the next succeeding meeting, shall be evidence of such proceedings.

(iii) Until the contrary is proved, every general meeting in respect of the proceedings whereof minutes have been so recorded shall be deemed to have been duly called and held, and all proceedings, stated to have taken place thereat, to have duly taken place.

#### CHAPTER IV

#### Special Provisions Regarding the Election of Directors and Auditors.

##### *Notes.*

Clause (d) of section 10 of the Act provides that the Board of Directors shall consist of."

(d) three directors elected in the prescribed manner for among themselves by the parties referred to in clause (c) of sub-section [3] of section 4, one of whom shall be elected to represent scheduled banks, another to represent Co-operative banks and the third to represent the remaining financial institutions:

Sub-section [1] of section 37 provides that the affairs of the Financial Corporation shall be audited by not less than two Auditors of whom one shall be elected in the prescribed manner by the parties mentioned in clauses [c] and [d] of sub-section [3] of section 4 of the Act. This Chapter contains special provisions regarding election referred to in clause [d] of section 10 and sub-section [1] of section 37-

30. *Determination by lot of Directors to retire*.—The determination by lot under the proviso to sub-section (2) of Section 11 shall be made at a meeting of the Board to be held not later than three months before the expiry of the period of two years specified in the said proviso and the result shall be declared immediately thereafter.

31. *Issue of Notice of Election*.—Whereat any general meeting an election of any Director or of the Auditor is to be held, notice thereof shall be included in the notice convening the meeting. In the case of an election of Directors, every such notice shall also specify the number of Directors to be elected and the particular vacancies in respect of which the election is to be held.

32. *List of Shareholders*.—(i) For the purpose of election of Directors mentioned in clauses (d) and (e) of section 10 or of the Auditor under sub-section (1) of section 37 a separate list shall be prepared for each of the following classes of shareholders, namely:—

- (a) Scheduled Banks;
- (b) Co-operative Banks;
- (c) Insurance Companies, Investment Trusts, and other Financial institutions excluding Scheduled Banks and Co-operative Banks;
- (d) Parties other than those referred to in clauses (a), (b) and (c) of sub-section (3) of section 4.

(ii) Each such list shall contain the names of the shareholders, their registered addresses, the number and distinguishing numbers of shares held by them with the dates on which the shares were registered and the number of votes to which they will be entitled, on the date fixed for the election and copies of such lists shall be available for purchase at least three weeks before the date fixed for the election at a price of one rupee per copy, on application at the Head office of the Corporation.

33. *Nomination of Candidates for Directorship*.—(i) No candidate for election as a director of the Board shall be validly nominated unless:—

- (a) he is on the last date for receipt nominations, not disqualified to be a director under section 12;
- (b) he is nominated in the case of election of a Director pursuant to clause (d) of section 10 by one shareholder and in case of an election of a Director pursuant to clause (e) of section 10 by two shareholders, of the class of shareholders in respect of which the election is to be held;

- (c) The nomination is in writing signed by the shareholders or by their duly constituted attorneys, provided that a nomination by a shareholder who is a body corporate may be made by a resolution of the directors of the said body corporate and where it is so made, a copy of the resolution certified to be a true copy by the Chairman of the meeting at which it was passed shall be despatched to the Head Office of the Corporation and such copy shall be deemed to be a nomination on behalf of such body corporate;
- (d) The nomination paper contains declaration signed by the candidate before a Judge, Magistrate, Justice of the Peace, Registrar, or Sub-Registrar of Assurances, or other Government Gazetted Officer, that he accepts the nomination and is willing to stand for election, and that he is not disqualified for election under section 12.

(ii) No nomination shall be valid unless it is received in the Head Office of the Corporation not less than 14 clear days before the date fixed for the election.

34. *Publication of list of candidates for Directorship.*—On the first working day following the last date fixed for the receipt of nomination papers, the Managing Director shall take the same into consideration. He shall after such enquiry, if any, as he thinks necessary, satisfy himself in regard to the provisions of Regulation 33 and shall accept or reject the nomination of each candidate accordingly, and, in the case of rejection, shall briefly record his reasons for so doing. The decision of the Managing Director that a nomination is valid or invalid shall, subject to the result of any reference under Regulation 37, be final. If there is only one valid nomination for any particular vacancy to be filled by election, the candidate validly nominated for vacancy shall be deemed to be elected at the meeting convened for the purpose, and his name and address shall be published as so elected. If the number of valid nominations exceeds one, the Managing Director shall cause to be published the names and addresses of candidates validly nominated in the Official Gazette and or one news-paper circulating in the State of Rajasthan.

35. *Election of Auditor.*—(i) The Shareholders of the Corporation other than the State Government and the Reserve Bank shall at each annual General Meeting, elect an auditor who shall hold office for one year, provided that such elected auditor shall be required to continue in office until the election of his successor at the next annual General Meeting.

- (ii) A retiring elected auditor shall be eligible for re-election.
- (iii) No nomination of the auditor shall be valid unless:—
  - (a) he is duly qualified to act as auditor of the companies under sub-section (1) of Section 144 of the Indian Companies Act, 1913;

- (b) he is nominated by two shareholders being parties mentioned in clauses (a) and (d) of sub-section (3) of section 4 who are qualified to vote at the election;
- (c) the nomination is in writing signed by the proposer, or by their duly constituted attorneys, provided that a nomination by a body corporate may be made by a resolution of the directors of the said body corporate and where it is so made, a copy of the resolution certified to be a true copy by the Chairman of the meeting at which it was passed shall be despatched to Head Office of the Corporation, and such copy shall be deemed to be a nomination on behalf of such body corporate;
- (d) the nomination paper contains a declaration signed by the candidate before a Judge, Magistrate, Justice of the Peace, Registrar, or Sub-Registrar of Assurances, or other Government Gazetted Officer, that he accepts the nomination and is willing to accept the auditorship of the Corporation, if elected, on such remuneration as the State Government may fix, and that he is duly qualified to act as an auditor of Companies under sub-section of section 144 of the Indian Companies Act.

(iv) No nomination shall be valid unless it is received in the Head Office of the Corporation not less than fourteen clear days before the date fixed for the election.

36. *Publication of List of candidates for auditorship.*—On the working day following the last day fixed for the receipt of nomination papers the Managing Director shall take the same into consideration. He shall, after such enquiry, if any, as he thinks necessary, accept or reject the nomination of each candidate. The decision of the Managing Director that the nomination is valid or invalid shall, subject to the result of an reference under Regulation 37, be final. If there is only one valid nomination, the candidate validly nominated shall be deemed to be elected at the meeting at which such election was proposed to be held and his name and address shall be published as so elected. If the number of valid nominations exceeds one, the Managing Director shall cause the names and address of candidates validly nominated to be published in the Official Gazette or at least one newspaper circulating in the State of Rajasthan.

37. *Election disputes.*—(i) If any doubt or dispute shall arise as to the qualification or disqualification of a person deemed or declared to be elected or otherwise as to the validity of the election of a Director or an Auditor, any person interested, being a candidate or shareholder entitled to vote at such election, may, within seven days of the date of the declaration of the result of such election, give intimation in writing thereof to the Chairman of the Board and shall in so doing give full particulars of the grounds upon which he doubts or disputes the validity of such election.

(ii) On receipt of an intimation under clause (i) the Chairman shall forthwith forward such intimation together with all the particulars of the grounds on which the validity of the election is doubted or disputed to the State Government. The State Government shall appoint a referee and refer the election dispute to the referee so appointed who shall make such enquiry as he deemes necessary, and, if he finds that election was a valid election, he shall confirm the declared results of the election. If he finds that the election was not a valid election, he shall make such order and give such directions including the holding of a fresh election as shall in the circumstances appear just.

(iii) Any order and direction of the referee made in pursuance of this Regulation shall be conclusive.

## CHAPTER V

### Meetings of the Board and the Executive Committee

#### *Notes.*

Rules in this Chapter are in respect of the provisions Contained in section 19 of the Act which reads as under:—

[1] The Board and the Executive Committee shall meet at such times and places and shall observe such rules of procedure in regard to transaction of business at its meetings as may be Provided by regulations made under this Act.

(2) All questions at a meeting shall be decided by a majority of votes of the members present, and, in the case of equality of votes, the Chairman or in his absence, any other person presiding, shall have a second or casting vote

(3) No director shall vote on any matter in which he is interested.

(4) If for any reason the Chairman is unable to be present at a meeting—

(a) of the Board, a director other than the managing director, authorised by the Chairman in writing in this behalf, shall preside at that meeting, or

(b) of the Executive Committee, a member authorised in writing by the managing director shall preside at that meeting.

38. *Meetings of the Board:—*(i) A meeting of the Board shall be held at least once during each quarter and shall be convened by the Managing Director.

(ii) Any three Directors may require the Managing Director to convene a meeting of the Board at any time and the managing Director shall, on receipt of the requisition, convene a meeting of the Board giving sufficient notice, provided that the date of the meeting so convened shall not be later than 21 days from the date of the receipt of the requisition.

(iii) In the event of there being a vacancy in the office of the Managing Director, the references sub in regulations (i) and (ii) to the Managing Director shall be construed as references to the Chairman of the Board.

(iv) Meetings of the Board shall be held at the place where the Head Office of the Corporation is situated, or at such other place as the Chairman may decide.

(v) Ordinarily not less 15 day's notice shall be given of each meeting of the Board and such notice shall be sent to every Director at his registered address. Should it be found necessary to convene an emergency meeting, a notice shall be sent to every Direc-



ctor at the address registered with the Corporation sufficiently in advance to enable him to attend.

(vi) No business other than that for which the meeting was convened shall be discussed at a meeting of the Board except with the consent of the Chairman and a majority of the Directors present, unless one clear week's notice has been given of the same in writing to the chairmen.

(vii) Four Directors, of whom at least one shall be a nominated Director and one an elected Director, shall form a quorum for the transaction of business.

(viii) In the event of there being a casual vacancy in the office of the Chairman which cannot be filled sooner than or before the date on which a meeting of the Board may have to be called, the Director present at the meeting may elect from amongst themselves a Director other than the Managing Director, to preside at the meeting.

(ix) A copy of the proceedings of each Board Meeting shall be circulated as soon as possible thereafter for the information of the Directors, and shall be signed by the Chairman at that or the next succeeding meeting.

39. *Meetings of the Executive Committee:*—(i) The Executive Committee shall ordinarily meet at least once in two months at the Head Office of the Corporation or at such other place as the Managing Director may decide to attend to the current business of the Corporation. Sufficient notice shall be given to the members of the Committee to enable them to attend the meeting.

(ii) Two members shall form a quorum for the transaction of business.

(iii) The provisions of the Act and save as otherwise provided in these Regulations, these Regulations shall apply to the meetings of the Executive Committee as if they were meeting of the Board.

40. *Disclosure of interest of Director in any industrial concern:*—Every Director who is directly or indirectly concerned or interested in any contract, loan or arrangement entered or to be entered into by or on behalf of the Corporation with any industrial concern shall, at the earliest possible opportunity disclosed the nature of his interest in the concern to the Board or Executive Committee as the case may be, and shall not be present at any meeting of the Board or Executive Committee when any such contract, loan or arrangement is discussed unless his presence is required by the other Directors for the purpose of eliciting information. Where any Director is so required to be present, he shall not vote on any such contract loan or arrangement and if he does so, his vote shall be invalid and shall not be counted.

41. *Fee for Directors meetings:*—(i) Each Director (other than the Managing Director and an employee of any Government the Reserve Bank of India, or the Industrial Finance Corporation of India) shall receive a fee of Rs. 75/- for each meeting of the Board

and a fee Rs. 50/- for each meeting of the Executive Committee attended by him

(ii) In addition each Director attending a meeting of the Board or of the Executive Committee shall be reimbursed his travelling and halting expenses, if any, on such scale as may be fixed by the Board from time to time.

42. *Appointment of Advisory Committee:—*(i) The Board may appoint Advisory Committee consisting of Director or officers of the Corporation or such other persons as they deem fit for technical and other advice so that they can advise the Corporation in the efficient discharge of its functions.

(ii) The Managing Director shall be Chairman of each Advisory Committee appointed by the Board. If the Managing Director is for any reason unable to attend a meeting of an advisory Committee, the Committee may elect a Chairman to preside at that meeting.

(iii) A member of an Advisory Committee who is directly or indirectly interested in any contract, loan or arrangement which comes before such Committee shall disclose the nature of his interest to the Board and to such Committee and shall not be present at any meeting of the Committee when such contract, loan or arrangement is discussed, unless his presence is required by the other members of the Committee for the purpose of eliciting information. When any members is so required to be present, he shall not vote on any such contract, loan or arrangement and, if he does so, his vote shall be invalid and shall not be counted.

(iv) Each member of an Advisory Committee, who is not a Director, auditor officer or other employee of the Corporation who has already made a declaration under section 40 shall, before entering upon his duties, be required to sign a declaration of fidelity and secrecy to the effect set out in the form given in the schedule to the Act.

(v) Each member of an Advisory Committee (other than the Managing Director, an officer of the Corporation and an employee of the State Government, the Reserve Bank of India, or the Industrial Finance Corporation of India) shall receive such remuneration as may be fixed by the Board not exceeding Rs. 50/- for every meeting of the Committee attended by him.

(vi) In addition, each member attending a meeting of an Advisory Committee shall be paid his travelling and halting expenses, if any, on such scale as may be fixed by the Board from time to time.

43. *Resolution without meeting v. *id.**—A resolution in writing signed by a majority of the Directors on the Board of the Corporation, or where the matter concerns the Executive Committee or any other Committee appointed by the Corporation, by the majority of the members, of, such Committee, shall be, and shall always be deemed to have been, as valid and effectual as if it had been passed at a duly called and constituted meeting of the Board, the Executive or other Committee, as the case may be.

## CHAPTER VI

## Manner in which the Accommodation granted by the Corporation will be secured

*Notes.*

Sub-section (1) of section 25 of the Act provides that the financial Corporation may carry on and transact different kinds of business listed therein amongst others, it provides for the following kind of business:—

(a) the guaranteeing on such terms and condition as may be agreed upon of loans raised by industrial concerns which are repayable within a period not exceeding twenty years and are floated in the public market.

(e) the granting of loans or advances to, or the subscribing to debentures of, industrial concerns, repayable within a period not exceeding twenty years from the date on which they are granted or subscribed to, as the case may be; and

Sub-section (2) of section 25 provides that;—

(2) No accommodation shall be given under clauses (a) and (e) of sub-section (1), unless it is sufficiently secured by a pledge, mortgage, hypothecation or assignment of Government or other securities, stocks, shares or secured debentures, bullion, movable or immovable property or other tangible assets in the manner prescribed by regulations.

The rules in this chapter are meant to meet the requirements of this sub-section (2).

*44. Security taken must be sufficient.*—No accommodation shall be given by the Corporation under clauses (a) and (e) of sub-section (1) of section 25 of the Act unless sufficient security to the satisfaction of the Executive Committee is taken as specified in sub-section (2) thereof.

*45. Instruments evidencing security to be in prescribed form.*—Instruments evidencing the Security to be taken for accommodation given by the Corporation under Regulation 44 shall, where the Executive Committee has prescribed a form, be in the form so prescribed and no material alteration shall be made in the form so prescribed without the approval of the Committee. Instruments in respect of which the Committee has not prescribed any form shall require the approval of the Committee in each case.

*46. Reasonable margin to be maintained in granting accommodation.*—For the purpose of determining the amount of the accommodation to be granted, such margin shall be retained in the valuation of the assets pledged, mortgaged, hypothecated, or assigned to the Corporation as may be considered reasonable by the Executive Committee.

*47. Factors to be taken into consideration for determining adequacy of margins.*—For the purpose of Regulation 46, the Executive Committee shall require adequate margins to be retained having regard to the earning capacity and prospects of the industrial concern, the competence of its management and other relevant considerations.

*48. Instruments evidencing security to contain stipulation for requiring additional security in the event of fall in value of assets.*—In the instruments evidencing the security taken by the Corporation, there shall be a stipulation that in the event of a fall occurring in the

value of the assets pledged, mortgaged, hypothecated, or assigned to the Corporation, the industrial concern obtaining accommodation from it may be required to furnish such additional security as may be considered reasonable by the Executive Committee.

## CHAPTER VII General Provision

48. *Board to inform the State Government regarding disqualifications.*—The Board shall forthwith inform the State Government if it comes to the notice of the Board that any Director has become subject to any disqualification under the Act.

50. *Acts of Directors valid notwithstanding subsequent discovery of disqualifications.*—All acts done at any meeting of the Board or the Executive Committee or an Advisory committee or by any person acting as Director of the Board, or member of the Executive Committee or of an Advisory Committee shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of such persons or that they or any of them were disqualified be as valid as if every such person had been duly appointed and duly qualified.

51. *Delegation of power to Managing Director.*—Without prejudice to the powers conferred under other regulation the Managing Director, or in his absence or if the office of the Managing Director is vacant for the time being, a Director or an officer of the Corporation nominated by the Board in this behalf may exercise the following powers:—

(i) to negotiate and carry on the authorised business of the Corporation in accordance with instructions which the Board may issue from time to time.

(ii) to operate accounts either singly or jointly with a director or any officer of the Corporation authorised in this behalf by the Board from time to time and to draw, accept and endorse bills of exchange and other instruments in the current and authorised business of the Corporation and to sign all other accounts, receipts and documents connected with such business;

(iii) to organise and supervise the office, maintain discipline and exercise such powers in connection with appointment, promotion, termination of service and leave of the staff of the Corporation as may be given by the Board in this behalf and to allocate duties to the staff and make such other arrangements as may be necessary for the efficient discharge of the functions of the Corporation; and

(iv) to incur such expenditure as may be necessary for the day to day administration of the office of the Corporation within such limits as may be prescribed by the Board, but if expenditure exceeding such limits is deemed essential he may incur the same with the previous sanction of the Executive Committee:

Provided that the Managing Director, or in his absence the Director or an Officer of the Corporation as aforesaid, shall have the power to transact all the usual business of the Corporation other

than business relating to granting of Loans or Advances to industrial concerns which may be transacted by the Executive Committee, if in the opinion of the Managing Director or such other Director Officer action cannot be deferred until the next meeting of the Executive Committee provided that such action is reported to the Executive Committee at its next meeting.

52. *Manner and form in which contracts binding on the Corporation may be executed.*—Contracts on behalf of the Corporation may be made as follows:—

(a) Any contract which is by law required to be in writing, may be made on behalf of the Corporation in writing signed by any person acting under its authority express or implied, and may in the same manner be varied or discharged.

(b) Any contract which would be valid if made by parol only may be made by parol on behalf of the Corporation by any person acting under its authority, express or implied, and may in the same manner be varied or discharged.

53. *Accounts, receipts and documents of Corporation by whom to be signed.*—The Managing Director, or such other officer of the Corporation as the Board may, by notification in the Rajasthan Gazette, authorise in this behalf, may issue, execute, endorse and transfer promissory notes, bonds, stock receipts, stock, debentures, shares, securities and documents of title to goods standing in the name of, or held by the Corporation and draw, accept and endorse bills of exchange and other instruments in the current and authorised business of the Corporation and sign all other accounts, receipts and documents connected with such business.

54. *Plaints etc., by whom to be signed.*—Plaints, written statements, vakalatnamas, affidavits and all other documents connected with legal proceedings may be signed and verified on behalf of the Corporation by the Managing Director or any other officer authorised under Regulation 53 to sign documents for and on behalf of the Corporation.

55. *Common Seal of the Corporation.*—The Common Seal of the Corporation shall not be affixed to any instrument except pursuant to a resolution of the Board and except in the presence of at least two Directors (including the Managing Director), who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person who may sign the instrument as a witness. Unless so signed as aforesaid, such instrument shall be of no validity.

(ii) The Common Seal of the Corporation shall be affixed to the share certificates issued by the Corporation and may be used for such other purposes as may be approved by the Board.

56. *Service of notice to Shareholder.*—(i) A notice may be given by the Corporation to a shareholder by sending it by post to his registered address or by advertisement in one principal newspaper circulating in the State of Rajasthan.

(ii) Any notice if served by post shall be deemed to have been served on the third day following that on which it was posted and in proving such service it shall be sufficient to prove that the notice was properly addressed and posted, and a certificate, in writing, signed by an employee of the Corporation that the notice was so addressed and posted shall be conclusive evidence thereof. Any notice given by advertisement shall be deemed to have been given on the date on which the advertisement first appeared.

(iii) Any notice given in accordance with the foregoing provisions shall be deemed to have been duly given notwithstanding that the shareholder be then deceased and whether or not the Corporation had notice of his death and it shall in that case, be deemed to be a notice to his legal representatives.

(iv) All notices with respect to any registered shares to which person are jointly entitled shall be given to whoever of such persons is named first in the register maintained under Regulation 8 and notice so given shall be sufficient notice to all the holders of the said shares.

(v) The signature to any notice to be given by the Corporation may be written or printed or be affixed in any other manner. :

57. *Service of notice to Corporation.*—A notice may be served on the Corporation by delivering it to an authorised officer of the Corporation or by sending it by registered post, to the Head Office of the Corporation.

58. *Accounts.*—The Board shall cause accounts to be kept of the assets and liabilities, & receipts & expenditure of the Corporation.

59. *Annual statement of accounts.*—The Board shall cause the books of the Corporation to be balanced on the last day of the month of march, in each year and the annual accounts shall be set out as follows:—

(a) A balance-sheet in the form specified in Schedule A annexed or as near thereto as possible.

(b) A profit and loss a/c for the year in form specified in Schedule B annexed or as near thereto as possible.

60. *Returns.*—(i) The Statement to be made under sub-section (1) of section 38 of the Act shall be in the form specified in Schedule C annexed and the Statements to be made under sub-section (3) of the same section shall be in forms set out in Schedules A and B annexed referred to in Regulation 59.

(ii) The Statement to be furnished by the Corporation under sub-section (2) of section 38 showing the classification of the loans & investments made by the Corporation, the loans guaranteed by it & the underwriting agreements entered into by it shall be in the form specified in Schedule D annexed hereto.

61. *Dividends.*—(i) Dividends shall be declared and paid as soon as possible after the closing of the annual accounts.

(ii) No interest shall be payable by the Corporation on any Dividend.

(iii) Any one of several persons who are registered as joint holders of any share may give effectual receipts for all dividends in respect of such share.

(iv) A dividend shall be paid by Cheque or warrant drawn on the Corporation's Bankers at the place where its Head Office is situated and shall be sent to the registered address of the shareholder entitled or in the case of joint holders to the registered address of the one whose name stands first on the register in respect of the joint holding, and every cheque or warrant so sent shall be made payable to the order of the shareholder to whom it is sent.

(v) The Corporation shall not make payment of a dividend to any person not entitled thereto under the Act or these Regulations but shall retain the same and make payment thereof to the person who next becomes registered in respect of the shares on which such dividend is payable.

(vi) No shareholder shall be entitled to receive payment of any dividend in respect of his shares until all moneys due or owing by him to the Corporation in respect of such shares have been paid.

62. *Accrual of Dividend.*—Dividend will accrue and be payable from 1st May, 1955 and no shareholder shall have any right to claim dividend for any period prior to that date.

By Order of the Board of Directors,  
S. B. L. BHARGAVA,  
Managing Director.





5. Borrowings from Reserve Bank	...	in respect of which the Corporation is fully secured	...
6. Guarantees and Underwriting Agreements Per Contra.	...	(ii) Debts guaranteed by the State Government, scheduled banks or State Co-operative Bank	...
7. Subvention from State Government on account of Guarantee Dividend.	...	(iii) Debts considered bad or doubtful	...
8. Others Liabilities (1)- (to be specified)	...	(iv) Debts due by concerns in which one or more directors of the Corporation are interested as directors, partners, proprietors or managing agents or as guarantors or in the case of private Companies, as members	...
9. Provision for Taxation Balance as per last Balance Sheet Refunds received provision made during the year	...		...
Less-Tax paid up to 31st March	...		...
10. Profit and Loss Account Balance as per last Balance Sheet	...	4. Debentures Subscribed	...
Less—(i) Provision for Reserve Fund	...	5. Guarantees and Underwriting Agreements per Contra	...
(ii) Provision for Taxation etc.	...	6. Debentures, Shares, &c. Acquired Under Underwriting Agreements (to be shown separately)	...
Add-Subvention received	...	7. Premises, Lands and Buildings....	...

from Government  
 Less-Dividends paid  
 Profit as per Profit & Loss  
 Account

Less-Depreciation written  
 off to date

8. Furniture and Fixtures

Less-Depreciation written  
 off to date

9. Deficit on Guaranteed Divi-  
 dend Account

10. Other Assets (3)-(to be specified)

11. Profit and Loss Account

Loss from last balance sheet ...

Loss brought forward, from  
 Profit & Loss Account

Total

- Notes:—1. Under this heading may be included such items as Unclaimed Dividends, staff Provident Fund, Sundry Deposits, Sundry Creditors, etc.
2. Where the value of the investments shown in the outer column of the Balance sheet is higher than the market value, the market value should be shown separately in brackets.
3. Under this heading may be included (a) Sundry Debtors, (b) Income-Tax deducted at source, (c) Advance Payment of tax, (d) prepaid expenses, (e) Interest accrued on Government Securities and loans, (f) Preliminary Expenses, etc.

1. Classification of Loans and Advances according to Balance Sheet
- Industrial units:

(i) Debts due from concerns with assets exceeding Rs. 20

lakhs (large-scale industries)

(ii) Debts due from concerns with assets of Rs. 5 lakhs or more, but not exceeding Rs. 20 lakhs (medium sized industries).

Rs. ....

Rs. ....

(iii) Debts due from concerns with assets of less than Rs. 5 lakhs and employing less than 50 workers if working with power of less than 100 workers if working without power (small-scale industries).\*

Rs. ....  
Rs.

Total

(For this purpose assets may be taken to mean those which are used for working the industry).

## II. Classification of Loans and Advances according to the constitution of Industrial units:

(a) Proprietary	Rs. ... ..
(b) Partnership	Rs. ... ..
(c) Hindu Undivided Families	Rs. ....
(d) Co-operatives	Rs. ... ..
(e) Private Limited Companies	Rs. ... ..
(f) Public Limited Companies	Rs. ... ..

III. Debts due from, and other charges incurred on behalf of, loanee concerns whose management has been taken over by the Corporation.

Rs. ... ..  
Rs.

\* The definition in so far as it relates to the number of workers employed, may be relaxed in cases where there is difficulty in adopting it rigidly.

## SCHEDULE 'B'

Rajasthan Financial Corporation

[See Regulation 59 (b) ]

Profit and Loss Account for the year ended the 31st March,.....

## EXPENDITURE

Rs. nP.

1. Salaries and Allowances,  
(including Provident fund  
Contributions)

1. Interest on Advances.  
2. Interest on investments in  
cluding Debentures.

Rs. nP.  
... ..  
... ..

2. Directors' and Advisory Committee Members' fees etc.	...	...	...
3. Auditors' Fees and Expenses	...	...	...
4. Rent, Taxes, Insurance, Lighting etc.	...	...	...
5. Law Charges.	...	...	...
6. Postage, Telegraph and Telephone Charges.	...	...	...
7. Stationery, Printing, Advertisement, etc.	...	...	...
8. Travelling Expenses.	...	...	...
9. Bank Charges and Commission.	...	...	...
10. Depreciation and Repairs to Corporation's property.	...	...	...
11. Interest Paid.	...	...	...
12. Provision for Bad and Doubtful Debts.	...	...	...
13. Loss on sale or revaluation of investments.	...	...	...
14. Miscellaneous Expenses.	...	...	...
15. Net Profit carried to Balance Sheet (subject to provision for taxation)	...	...	...
3. Rent.	...	...	...
4. Transfer Fees.	...	...	...
5. Other Income (to be specified)	...	...	...
6. Net Loss carried to Balance Sheet.	...	...	...
Total			Total

## SCHEDULE 'C'

Rajasthan Financial Corporation

[See Regulation 60 (i) ]

Statement of Assets and Liabilities as at the close of business  
on Friday the ....

Rs.   nP.

Rs.   nP.

**A. Liabilities.**

1. Paid-up Capital.		
2. (a) Reserve Fund.	...	...
(b) Other Reserves.	...	...
3. Provision for Taxation.		
4. Bonds and Debentures.		
5. Fixed Deposits.		
6. Guarantees and Underwriting Agreements <i>Per Contra</i> .		
7. Borrowings From Reserve Bank.		
8. Other Liabilities.		
	<b>Total</b>	

**B. Assets.**

1. Cash and Bank Balances:		
(a) Cash in hand.	....	..
(b) Balances with Bank in Current Account.	....	..
(c) Other deposits with Banks.	....	...
2. Investments:		
Securities (including Treasury Bills) of		
(a) Central Government.	....	...
(b) State Governments.	....	...
3. Debentures Subscribed.		
4. Debentures, Shares, etc. acquired under underwriting agreements (to be shown separately)		
5. Loans and Advances.		
6. Guarantees and Underwriting Agreements <i>Per Contra</i> .		
7. Other Assets.		
	<b>Total</b>	

**C. Contingent Liabilities.**

1. On account of subventions received from Government in respect of guaranteed dividend.		
---	--	--

2. Other items (to be specified)	....	....
<i>D. Supplementary Information.</i>		
1. Total amount of loans sanctioned as on.....	....	....
2. Loans not to be availed of by borrower concerns or not to be made available to them	....	....
3. Commitments on loans reduced to [ (1)-(2)- ]	....	....
4. Loans disbursed.	....	....
5. Effective commitments yet to be met on loans [ (3)-(4) ]	....	....

## SCHEDULE 'D'

Rajasthan Financial Corporation

[See Regulation 60 (ii)]

Classification of loans and investments made by the Rajasthan Financial Corporation, the loans guaranteed by it and the underwriting agreements entered by it as on the.....

Rs. nP.      Rs. nP.

*I. Loans and Advances.*

(a) Maturing for payment within 5 years	....	....
(b) Maturing for payment after 5 years but within 10 years.	....	....
(c) Maturing for payment after 10 years but within 15 years.	....	....
(d) Maturing for payment after 15 years.	....	....

*II. Investments.**III. Debentures subscribed.*

(a) Maturing for payment within 10 years	....	....
(b) Maturing for payment after 10 years	....	....

*IV. Debentures Shares, etc. acquired under underwriting agreements.**V. Guarantees outstanding.**VI. Underwriting agreements outstanding.*

Total-L

## I. Classification of loans, Industry-wise (a)

Serial No.	Type of Industry	Applications received.		Applications Sanctioned		
		No.	Amount Rs.	No.	Amount Applied for Rs.	Amount Sanctioned Rs.
1	2	3	4	5	6	7
Applications rejected		Application lapsed or withdrawn		Applications pending for consideration		
Amount		Amount		Amount		
No.		No.		No.		
Rs.		Rs.		Rs.		
8	9	10	11	12	13	

Serial No.	Type of Industry	Type of concern*	Applications sanctioned		Portion of amount sanctioned but not to be	
			No.	Amount applied for Rs.	Amount sanctioned Rs.	availed of by the concerns or not to be made available to them Rs.
1	2	3	4	5	6	7

Effective amount sanctioned	Amount advanced	Repayments.	Overdues.	Balance out standing.
No. of applications	Amount Rs.	Rs.	Rs.	Rs.
8	9	10	11	12

Note:—(a) Data furnished in Statement A should be cumulative and from the date of inception of the Corporation.

(b) Data furnished in Statement B should relate to *live accounts* (loans which are completely repaid or the accounts otherwise closed should be eliminated).

(a) Separate statements on similar lines may also be attached in respect of concerns with assets:—

32 ] **Rajasthan Financial Corporation General Regulations, 1956.**

2. Debentures maturing after 10 years but within 15 years. Rs.....
3. Debentures maturing after 15 years but within 20 years. Rs.....

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\*Whether public or Private Limited Company, Co-operative Society, Proprietary or Partnership, etc.

*Notes.*

Schedules A, B, C and D have been replaced for the previous schedules A, B, C and D vide amending notification No. RFC/GR-57 dated July. 10, 1957, published in Rajasthan Rajpatra part IV (c) dated 8/8/1959. at page 337.

By Order of the Board of Directors.

S. B. L BHARGAVA  
*Managing Director.*



# RAJASTHAN FINANCIAL CORPORATION (VOTING RIGHTS) Rules, 1956.

Industries and Mines Department  
(Industries section)

## NOTIFICATION

Jaipur, February 7, 1956.

No. F. 36 (13) C & I/55.—In exercise of the powers conferred by section 47 of the State Financial Corporations Act 1951 (Central Act LXIII of 1951) the Government of Rajasthan is pleased to make the following rules namely:—

1. *Short Title*.—These rules may be called the Rajasthan Financial Corporation (voting rights) Rules, 1956.

### notes

These rules have been framed for putting into effect the requirements of section 47 of the Act which reads as under:—

The State Government may make rules not inconsistent with the provisions of this Act to give effect to the provisions of this Act and in particular, such rules may provide for the limitation on the voting rights of a shareholder and the manner in which such voting rights may be exercised and where there is any inconsistency between the rules and the regulations made under this Act, the rules shall prevail.

Section 10 of the Act provides for the Constitution of the Board of Directors and requires certain members to be nominated and others to be elected. Clauses (d) and (e) of section 10, reading as under, pertain to the election of certain Directors.

(d) three directors elected in the prescribed manner from among themselves by the parties referred to in clause (c) of sub-section (3) of section 4, one of whom shall be elected to represent scheduled banks, another to represent Co-operative banks and the third to represent the remaining financial institutions;

(e) one director elected in the prescribed manner from among themselves by the parties referred to in clause (d) of sub-section (3) of section 4 who are shareholders of the Financial Corporation;

The present rules prescribe the manner of election required under aforesaid clauses (d) and (e),

Sub-section (3) of section 4 referred to in aforesaid clauses provides that;

The State Government shall, with the approval of the Central Government, determine the number of shares which may, respectively, be distributed among—

(a) the State Government,

(b) the Reserve Bank,

(c) scheduled banks, insurance companies, investment trusts, co-operative banks or other financial institutions, and

(d) parties other than those referred to in clauses (a), (b) and (c).

Provided that the number of shares which may be allocated to the parties referred to in clause (d) shall in no case exceed twenty-five per cent of the total number of shares.

2. *Definitions*.—In these rules, unless there is any thing repugnant in the subject or context.

(1) "Act" means the State Financial Corporations Act, 1951 (Central Act LXIII of 1951).

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These rules have been first Published in Raj. Raj-patra Dated June 2, 1956 part IV (c) at page 117.

(2) "Company" means a body corporate either incorporated under the Indian Companies Act, 1913 (Central Act VII of 1913) or any other law for the time being in force and includes the Reserve Bank, a co-operative bank and a co-operative society.

(3) "Corporation" means the Rajasthan Financial Corporation established and incorporated under the Act.

(4) "State Government" means the Government of the State of Rajasthan.

3. *Share-holders entitled to vote and their voting rights.*—(1) Subject to the provisions of sub-rule [2] each share holder who has been registered as a shareholder shall have one vote for each five shares held by him.

(2). In the case of election of a Director at any meeting of the Corporation only the Shareholders of the class to represent which the Director is to be elected shall be entitled to vote, and in the case of election of the auditor, the parties mentioned in the clauses [c] and [d] of subsection [3] of section 4 of the Act who are shareholders of the Corporation, shall be entitled to vote.

(3) Every shareholder entitled to vote as aforesaid who being an individual is present in person or by proxy of being the state Government or a Company is present by a duly authorised representative, or by proxy shall have one vote, on a show of hands or in case of a poll, one vote for each five shares held by him.

(4) No person shall be a proxy unless he is himself a shareholder.

4. *Voting by Government*—(1) The State Government may, by an order in writing, authorise any of its officers, whether a Director of the Corporation or not, to act as its representative at any meeting of the Corporation and the Officer so authorised shall be entitled to exercise the same powers on behalf of the State Government as if he were an individual shareholder of the Corporation. The officer so authorised shall not be deemed to be a proxy.

(2) A copy of any order made under sub-rule [1] shall be deposited at the Head Office of the Corporation before the time fixed for the meeting.

(3) An order made under sub rule [1] may subsequently be revoked by the State Government by depositing a notice for revocation at the Head Office of the Corporation before the time fixed for the meeting and the due revocation of an order shall in no way, prohibit the issue of another order by the State Government and the deposit of a copy there of at the Head Office of the Corporation within the time specified in sub-rule (2).

5. *Voting by duly authorised representative.*—(1) A shareholder, being a company may by a resolution authorise any of its officials or any other person to act as its representative at any meeting of the Corporation and the person so authorised shall be entitled

to exercise the same powers on behalf of the Company which he represents, as if he were an individual shareholder of the corporation. The authorisation so given may be in favour of two persons as alternate representatives and in that case any one of such persons may act as the duly authorised representative of the Company. A person acting in pursuance of an authorisation given under this sub-rule shall not be deemed to be a proxy.

(2) No person may attend or vote at any meeting of the Corporation as a duly authorised representative of a company unless a copy of the resolution appointing him as a duly authorised representative certified to be a true copy by the chairman of the meeting at which it was passed shall have been deposited at the Head Office of the Corporation not less than 4 clear days before the date fixed for the meeting. An appointment of duly authorised representative shall, after the deposit of a certified copy of the resolution as aforesaid, be irrevocable for the meeting for which it is made and shall revoke any proxy previously deposited for such meeting by the Company.

(3) No person may be appointed a duly authorised representative or a proxy who is an officer or an employee of the Corporation.

6. *Voting by duly authorised representative precludes voting by proxy*—No shareholder, being a company shall vote by proxy so long as a resolution of its Directors under rule 5 authorising any of its officials or any other person to act as its duly authorised representative at any general meeting shall be in force.

7. *Proxies*.—(1) No instrument of proxy shall be valid unless in the case of an individual shareholder it is signed by him or by his attorney duly authorised in writing, or in the case of joint holders, it is signed by the shareholder first named in the register or his attorney duly authorised in writing or in the case of a company it is executed under its common seal, if any, or signed by its attorney duly authorised in writing.

Provided that an instrument of proxy shall be sufficiently signed by any shareholder, who is, for any reason, unable to write his name, if his mark is affixed thereto and attested by a Judge, Magistrate, Justice of the Peace, Registrar, Sub-Registrar of Assurances, or other Government Gazetted Officer.

(2) No proxy shall be valid unless it is made out specifically for the purpose of voting at the meeting at which it is to be used.

(3) No proxy shall be valid unless it is duly stamped and unless it, together with the power of attorney or other authority [if any] under which it is signed, or a copy of that power or authority certified by a notary public or a magistrate, is deposited at the Head Office of the Corporation not less than 7 clear days before the date fixed for the meeting.

(4) No instruments of proxy shall be valid unless it is in following form and dated, namely:—

# Rajasthan Financial Corporation

I/We ..... of .. .....being a shareholder of the Rajasthan Financial Corporation holding shares Nos ..... hereby appoint..... of ..... (or failing him.... of ..... ) as my/our proxy to vote for me/us and on my/our behalf at a meeting of the share holders of the Corporation to be held at ..... on the day of ..... and at any adjournment thereof.

Dated this..... day of .....

(5) An instrument of proxy so deposited shall be irrevocable:—

(i) Unless on or before the last day for the deposit of proxies there shall have been deposited at the Head Office of the Corporation a notice in writing under the hand or common seal of the grantor specifically stating—

(a) the name of the person in whose favour the instrument was granted; and

(b) that such instrument is revoked; or

(ii) Unless the same is deemed to be invalid under sub-rule (6) hereof.

In the case of an instrument of proxy granted in favour of two grantees in the alternative, it shall not be necessary to mention in the notice of revocation the name of the second or alternative grantee provided that the notice is otherwise sufficient to identify beyond doubt the instrument of proxy which it is intended to revoke.

(6) If two or more instruments of proxy in respect of the same shares shall be deposited and if on or before the last day for deposit of proxies all but one of such instruments of proxy shall not have been duly revoked in accordance with the procedure prescribed in sub rule (5) all such instruments of proxy shall be deemed invalid.

(7) The due revocation of an instrument of proxy shall in no way prohibit the deposit of another valid instrument of proxy within the time specified in sub rule (3).

(8) Notwithstanding anything to the contrary in these rules the grantor of an instrument of proxy which has become irrevocable under this rule shall not be entitled to vote in person at the meeting to which such instrument relates.

8. *Allocation of shares among the parties referred to in clauses (C) and (D) of sub-section (3) of section 4 of the Act:—*The allocation of shares in clauses [c] and [d] of sub-section [3] of section 4 of the act shall be made in such manner as the Board may, having regard to the number of applications received from the various parties, deem fit.

By Order of  
His Highness the Rajpramukh,  
R. N. HAWA,  
Secretary to the Government.

# RAJASTHAN FINANCIAL CORPORATION (STAFF) REGULATIONS, 1958

Industries 'A' Department  
NOTIFICATION

Jaipur, September 19, 1958.

No. D. 10123/F. 1 (11) IND. (A)/58.—In exercise of the powers conferred by sub-section (1) and sub-section (3) of section 48 of the State Financial Corporation Act, 1951, the Governor is pleased to approve the following Regulations for the working of the Rajasthan Financial Corporation Jaipur:—

- (1) Staff Regulations.
- (2) Provident Fund Regulations.
- (3) Expenditure Regulations.

By Order.

A. K. ROY,

Secretary to Government.

Preamble:—Whereas it is necessary to define the terms and conditions of appointment and service of the Staff of the Rajasthan Financial Corporation, and to provide for their duties, conduct and the remuneration payable to them, the Board of Directors of the Rajasthan Financial Corporation, in exercise of the powers conferred by section 48 of the State Financial Corporation Act, 1951 (LXIII of 1951) and after consultation with the Reserve Bank of India and with the previous sanction of the Government of Rajasthan has made the following Regulations, namely:—

## CHAPTER I

### Preliminary.

1. *Short title.*—These Regulations may be called the Rajasthan Financial Corporation (Staff) Regulations, 1958.

#### *Nces.*

Sub-section (1) of section 48 of the State Financial corporations Act, 1951 authorises the Board of Directors of Corporation to make rules for the purpose of giving effect to the provisions of the Act. section 23 of the Act provides that,—

The Financial Corporation may appoint such officers, advisers and employees as it considers necessary for the efficient performance of its functions, and determine, by regulations, their conditions of appointment and service and the remuneration payable to them.

These regulations have been framed in the authority of these provisions of law.

2. *Application.*—(1) These Regulations shall apply to—

(a) every wholetime employee of the Corporation.

(b) staff employed temporarily or advisers, Officers or other staff recruited on special contracts, unless such contracts contain any different provisions.

(2) Nothing in these Regulations shall apply to the Managing Director, unless the application to him of all or any of these regulations has been approved by the Rajasthan Government.

(3) The corporation may, with the previous sanction of the State Government and in consultation with the Reserve Bank, enter into a special agreement or arrangement with an employee, with terms and conditions which may vary from the provisions of these Regulations.

3. *Definitions.*—In these Regulations, unless there is anything repugnant in the subject or context:—

(a) "The Board" means the Board of Directors of the Corporation and in relation to any powers exercisable by it, includes the Executive Committee.

(b) "The Managing Director" in relation to any powers exercisable by him, includes any director or officer who is authorised by the State Government, to exercise the powers and functions of the Managing Director during the temporary absence of the Managing Director.

(c) "The Secretary" in relation to any powers exercisable by him, includes an Officer authorised by the Managing Director to exercise the powers of the Secretary during the temporary absence of the Secretary.

(d) "Pay" means the amount drawn monthly by an employee as:—

(i) The pay which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre.

(ii) Special pay and personal pay;

(iii) Any other emoluments which may be specially classed as pay by the Board;

(e) "Substantive pay" means the pay other than special pay and personal pay and any other emoluments classed as pay by the Board under Clause (iii) of Sub-Regulation (d) of Regulation 3 to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre;

(f) "Special pay" means an addition, in the nature of pay, to the emoluments of a post or of an employee granted in consideration of:—

(i) the specially arduous nature of the duties; or

(ii) a specific addition to the work or responsibility;

(g) "Personal pay" means an additional pay granted to an employee:—

(i) to save him from a loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measures; or

(ii) in exceptional circumstances, on other personal considerations;

(h) "Average Pay" means the average monthly pay earned while on duty during the twelve calendar months immediately prece-

ding the month in which the employee proceeds on leave, and in the case of an employee who has not been on duty for more than a year, the average monthly pay earned while on duty during the calendar months immediately preceding the month in which he proceeds on leave provided that when the substantive pay of an employee on leave is less than Rs. 200/- per mensem, and the period of leave taken does not exceed two months, his average pay shall mean the pay which he would draw in the post substantively held by him at the time of taking leave, if this pay be more than his average pay.

(i) "Compensatory allowance" means an allowance granted to meet expenditure necessitated by the special circumstances in which duty is performed;

(j) "Duty" includes;

(i) service as a probationer;

(ii) period spent on casual leave duly authorised;

(k) "Family" means an employee's wife or husband and children ordinarily residing with and wholly dependent on him or her;

4. (a) "New Regulation" Any new Regulation or alteration in an existing Regulation shall be issued in the form of a Circular for circulation among the staff.

Provided that no new Regulation or an alteration in an existing Regulation shall operate to reduce the scale of pay of an employee on which he is entitled to draw pay in a substantive capacity on the day the new Regulation or alteration comes into force.

(b) *Power to interpret and implement Regulations.*—The power to interpret the Regulation vests in the Managing Director who is also hereby empowered to issue such administrative instructions as may be necessary to give effect to and carry out the purpose of, the provisions of these regulations provided that if as a result of any decision of the Managing Director as regards the construction of any regulation or regulations an employee feels aggrieved he shall have right to appeal against such decision of the Managing Director to the Board whose decision shall be final and binding on all concerned.

5. *Managing Director's power to delegate.*—The Managing Director, may, subject to such restrictions and for so long, as he may deem fit, delegate to the Secretary or in the absence of the latter any other Officer appointed by him in this behalf, any, or the powers conferred on him by these regulations, in relation to employees, other than officers except the powers referred to in regulations 7, 8, 10, 11, 15, 16, 17, 20, 37, 39, 41, 48, 79, 88, 90, 101, 105 and 107.

## CHAPTER II

Appointments, Probation and Termination of Service.

### SECTION 1—Appointments.

6. *Classification of permanent staff.*—(1) The permanent staff of the Corporation shall be grouped as follows:—

Class A—Officers.

Class B—Assistants.

Class C—Subordinate Staff.

(2) The Board shall fix, from time to time, the number of posts in all categories, and the pay scales of the Officers, the Assistants and Subordinate Staff shall be as laid down in Appendix I hereto.

7. Notwithstanding anything contained in these Regulations, the Managing Director may employ staff in Classes B and C on a temporary basis for a period not exceeding three months on the pay scales laid down in Appendix I to these Regulations.

8. *Power to appoint.*—All appointments to the service of the Corporation shall be made by the Managing Director subject, in the case of Officers, to the prior approval of the Board.

9. *Certificate of Health and Good Character.*—Every person appointed to the service of the Corporation, shall produce (a) a certificate of Health by a qualified medical practitioner approved by the Corporation and (b) Certificates of good character from two respectable persons, before he is permitted to join duties.

10. *Age.*—The age of a person at the time of his first appointment to the service of the Corporation shall not ordinarily exceed 25 years provided that the appointing authority may in special cases appoint or authorise the appointment of persons above the said age limit to obtain the service of the experienced staff.

11. *Grant of initial increments on first appointment.*—The Board may, in exceptional cases, grant initial increments to an employee in case 'A' on his first appointment. Similar powers can be exercised by the Managing Director in case of employee whom he can appoint provided that all such cases are subsequently reported to the Board.

12. *Appointment in the Corporation's service.*—No person who has been dismissed or has otherwise ceased to be in the service of the Corporation may be re-employed without the specific approval of the Board.

(2) Except as otherwise provided by the Board at the time of his re-employment, these regulations shall be apply to a person who is re-employed in the corporation's service as if he has entered the service for the first time on the date of his re-employment.

13. *Commencement of service.*—(1) Except as otherwise provided by or under these Regulations, service of an employee shall be deemed to commence from the working day on which an employee reports for duty in an appointment covered by these regulations at the place and time intimated to him by the Managing Director, provided that he reports before noon, otherwise his service shall commence from the next following working day.

(2) "Service" includes the period during which an employee is on duty as well as on leave duly authorised by the Managing Director but does not include any period during which an employee is absent from duty without permission or overstays his leave, unless specially permitted by the Managing Director.



## SECTION 2—Probation.

14. *Period of probation.*—An employee recruited to the Corporation's service shall be required to be on probation for a period which shall not be less than six months in case of employees of Class B and C and not less than one year in case of Class 'A' Employees and may be extended up to 2 years or more if considered necessary.

15. *Discharge during probation.*—During the first month of his probationary period an employee may be discharged from his service by the Managing Director after seven days' notice in that behalf or by payment of seven days, substantive pay in lieu thereof and during the rest of his probationary period he may be discharged after one month's notice in that behalf or by payment of substantive pay for one month in lieu thereof, provided that in case of Officers appointed by the Board no such notice of discharge shall be issued by the Managing Director without the prior approval of the Board.

## SECTION 3—Termination of service.

16. *Termination of service by notice.*—(1) During his probationary period an employee shall not leave or discontinue his service in the corporation without giving prior notice in writing to the Managing Director of his intention to leave or discontinue the service. The period of such notice shall not be less than—

(a) 7 days during the first month, and

(b) one month during the rest of the probationary period.

(2) After confirmation an employee shall not leave or discontinue his service in the Corporation without giving prior notice in writing to the Managing Director of his intention to leave or discontinue the service. The period of such notice shall not be less than—

(a) three months in the case of an employee in class A, and

(b) one month in the case of an employee in any other class.

(3) An employee who contravenes the provisions of the foregoing sub regulations of this regulation shall be liable to pay to the Corporation as compensation a sum equal to his substantive pay for the period of notice required of him, provided that the Board may at its discretion waive such payment of compensation in case of employee in Class A and the Managing Director may at his discretion waive such payment of compensation in any other case.

(4) The Corporation may determine the service of an employee after expiry of the period of his probation on giving him —

(a) three months' notice, or substantive pay in lieu thereof, if he is an employee in class A, and

(b) one month's notice, or substantive pay in lieu thereof, if he is an employee in any other class.

The power to determine the service of an employee shall be exercised by the Managing Director, subject in the case of Officers to the prior approval of the Board.

(5) Nothing in this regulation shall affect the right of the Corporation:—

- (a) to retire or dismiss an employee without notice or pay in lieu thereof in accordance with the provisions of Regulations 17 and 37; and
- (c) to determine the service of an employee without notice or pay in lieu thereof on his being certified by the Corporation's Medical Officer to be permanently incapacitated for further continuous service in the Corporation.

*Explanation I*—The expression "month" used in this regulation shall be reckoned according to the English Calendar and shall commence from the day following that on which notice is given by the employee or the Corporation as the case may be.

*Explanation II*.—A notice given by an employee under sub-regulation (1) and (2) shall be deemed to be proper only if he remains on duty during the period of notice, and an employee shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

*Explanation III*.—If an employee to whom notice is given by the Corporation in pursuance of this regulation absents himself from duty without permission during the period of notice he shall not be entitled to receive any pay or allowance during the period of absence and shall further be liable to such further penalties as the Managing Director may deem fit to impose.

**17. Superannuation and Retirement**—An employee shall retire at fifty five years of age, provided that the Board may at its discretion, sanction from time to time the extension of his employment for a period not exceeding one year at a time, but no extension of his employment shall be granted beyond the age of 60 years.

*Explanation*.—Notwithstanding anything contained in this regulation, where an employee has at the credit of his leave account ordinary leave earned and has in sufficient time before the date of retirement either—

(1) formally applied for leave and been refused it, or

(2) ascertained in writing, from the Managing Director that leave if applied for would not be granted,

he may be permitted to avail of the leave so refused and in that case the employee would be deemed to have retired from service on the expiry of the leave.

### **CHAPTER III.**

**Record of Service, Seniority and promotion.**

**18. Record of Service**.—A record of service shall be maintained in respect of each employee in such form as may be prescribed by the Managing Director from time to time.

**19. Seniority**.—An employee confirmed in the Corporation's service shall rank for seniority in his grade according to his date of

confirmation in the grade, and employee on probation according to the length of his probationary service.

20. *Promotion*.—All promotions shall be made by the Managing Director excepting that the Board shall have such power in the case of Officers appointed by them. No employee shall have a right to be promoted to any particular post or grade.

21. *Reversion*.—An employee appointed to officiate in a higher post or promoted on probation to a higher post shall be liable to be reverted without notice at any time within two years of such appointment or promotion.

## CHAPTER IV

Conduct, Discipline and appeals.

### SECTION 1.—Conduct and Discipline.

22. *Scope of an Employee's service*.—Unless in any case it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Corporation, and he shall serve the Corporation in its business in such capacity and at such place as he may from time to time be directed.

23. *Liability to abide by the regulations and orders*.—Every employee shall conform to and abide by these regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

24. *Employees to promote the corporation's interests*.—Every employee shall serve the Corporation honestly and faithfully, and shall use his utmost endeavours to promote the interests of the Corporation, and shall show courtesy and attention in all transactions and intercourse with every person with whom he may come into contact in his capacity as employee of the Corporation.

25. *Prohibition against participation in politics and standing for election*.—No employee shall take an active part in politics or in any political demonstration, or stand for election as member or be a member of any Local Authority or Legislative body.

26. *Contribution to press*.—No employee may contribute to the press without the prior sanction of the Managing Director or make public or publish any document, paper, or information which may come into his possession in his official capacity.

27. *Employees not to seek outside employment*.—No employee shall accept, solicit, or seek any outside employment or Office, whether stipendiary or honorary without the previous sanction of the Managing Director.

28. *Part-time work for outside bodies*.—No employee shall undertake part-time work for a private or public body or a private person, or accept fee therefor, without the sanction of the Managing Director who may grant sanction only in exceptional cases when he is satisfied that the work can be undertaken without detriment to

his official duties and responsibilities. "The Managing Director, may, in cases in which he thinks fit to grant such sanction, stipulate that any fees received by the employee for undertaking the work shall be paid, in whole or in part to the Corporation.

29. *Employees not to be absent from duty without permission or be late in attendance.*—(1) An employee shall not absent himself from his duties without having first obtained the permission nor shall he absent himself in case of sickness or accident without submitting within three days of such absence a sufficient medical certificate; provided that in the case of temporary indisposition the production of a medical certificate may, at the absolute discretion of the managing Director, be dispensed with.

(2) An employee who absents himself from duty without leave or overstays his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances in respect of the period of such absence or overstayal. Such unauthorised absence would be treated as misconduct and the employee shall further be liable to such penalties for misconduct as the Managing Director may deem fit. The period of such absence or overstayal may, if not followed by termination of services under Regulation 16 or dismissal under Regulation 37 be treated as period spent on ordinary, sick, special or extraordinary leave, as the Managing Director may determine.

(3) An employee who is habitually late in attendance shall be liable to such penalty as the managing Director may deem fit to impose or shall, at the discretion of the Managing Director, have one day of his casual leave forfeited for every two days he is late in a month. Where such an employee has no casual leave due to him, the period of leave to be so forfeited may be treated as ordinary or extraordinary leave as the Managing Director may determine.

30. *Absence from station.*—An employee in Class A and an employee in any other class if so required by the Managing Director, shall not absent himself from his station overnight without obtaining the previous sanction of the Managing Director.

31. *Acceptance of Gifts.*—An employee shall not solicit or accept any gift from a constituent of the Corporation or from any subordinate employee.

32. *Private trading or business.*—No employee shall engage in any commercial business or pursuit either on his own account or as agent for others, nor act as an agent for the Life Insurance Corporation of India or any Insurance Company or other insurer, nor shall he be connected with the formation or management of a joint stock company or a firm.

33. *Speculation in stocks, shares etc.*—An employee shall not speculate in stocks, shares, securities or commodities of any description; provided that nothing in this Regulation shall be deemed to prohibit an employee from making a bonafide investment of his own funds in such manner as he may consider necessary.

34. *Restriction on borrowing and investment.*—(1) An employee shall not borrow money from or in any way place himself under a pecuniary obligation to a broker or an employee of the Corporation subordinate to him or any firm or person having dealings with the Corporation.

(2) No employee shall make nor permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

*Explanation.*—For the purpose of this sub-regulation, the word "family" includes any relative ordinarily residing with or dependent on an employee.

35. *Employees in debt.*—(1) When an employee of the Corporation is adjudged or declared an insolvent or when a moiety of the salary of such employee has been attached frequently or has been continuously under attachment for a period exceeding two years, or is attached for a sum which in ordinary circumstances having regard to his personal resources and unavoidable current expenses cannot be repaid within a period of 2 years, he shall be liable to dismissal.

(2) In such cases the Managing Director shall report the matter to the Board.

(3) Where a moiety of an employee's salary is attached, the report shall show what is the proportion of his debts to the salary; how far they detract from the debtor's efficiency as an employee of the Corporation, whether debtor's position is irretrievable, whether in the circumstances of the case it is desirable to retain him in the post occupied by him at the time when the matter is brought to notice or in any other post in the Corporation.

(4) In every case under the Regulation the burden of proving that the insolvency or indebtedness is the result of circumstances which with the exercise of ordinary diligence the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, shall be upon the debtor.

(5) Notwithstanding anything contained in the preceding sub-regulation of this regulation, the Managing Director may at any time, call for a statement of his debts from any employee, and after considering the facts and explanations, he may, with the previous approval of the Board and after giving sufficient notice in that behalf, terminate the services of such employee.

36. *Employees arrested for debt or on criminal charge.*—(1) An employee who is arrested for debt or on a criminal charge or an offence involving moral turpitude shall be considered as under suspension from the date of his arrest, and shall be allowed the payments admissible to an employee under suspension under Regulation 37 until the termination of the proceedings against him, when an adjustment of his pay and allowances shall be made according to the circumstances of the case and in the light of the decision as to

whether his absence is to be accounted for as a period of duty or leave, the full pay and allowances being given only in the event of the employee being acquitted of all blame and treated as on duty during the period of his absence less the period spent by the employee in actual detention. An employee who is committed to prison for debt or is convicted of any offence involving moral turpitude shall be liable to dismissal.

(2) Where a conviction of an employee is set aside by a higher court, and the employee is acquitted honourably, he shall be reinstated in service.

*Explanation.*—In this regulation the expression “the termination of Proceedings” shall mean the decision of the lowest Court or any of the appellate courts, and it shall be open to the Corporation to dismiss an employee who is committed to prison or who is convicted of a criminal charge or any offence involving moral turpitude, as from the date of the order of the Court that convicts him.

37: *Penalties.*—(1) Without prejudice to the provisions of other Regulations; an employee who commits a breach of the Regulations of the Corporation or who displays negligence inefficiency or indolence, or who knowingly does anything detrimental to the interests or prestige of the Corporation or in conflict with its instructions, or who commits a breach of discipline or is guilty of any other act of misconduct or misbehaviour, shall be liable to the following penalties:—

- (a) Censure;
- (b) With-holding or postponement of increments or promotion;
- (c) Permanent stoppage of increment;
- (d) Recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by negligence or breach of orders;
- (e) Reduction to a lower post or grades on a fixed pay or a time scale or to a lower stage in a time scale;
- (f) Fine;
- (g) Suspension;
- (h) Dismissal.

(2) No employee shall be subjected to the penalties in clauses (b), (c), (d), (e), (f), (g), (h) of sub-regulation (1) of this regulation except by an order in writing signed by the Managing Director, and no such order shall be passed without the charge or charges being formulated in writing and given to the said employee so that he shall have reasonable opportunity to answer them in writing or in person, as he prefers, and in the latter case his defence shall be taken down in writing and read to him; provided that the requirements of the Regulation may be waived if the facts on the basis of which action is to be taken have been established in a Court of Law or where the employee has absconded or where it is for any other reason impracticable to communicate with him or where there is difficulty in obser-

ring them and the requirements can be waived without injustice to the employee. In every case where all or any of the requirements of this regulation are waived, the reason for so doing shall be recorded in writing.

(3) An employee may be placed under suspension by the Managing Director provided that in the case of an employee in class 'A' the Managing Director shall report all the facts of the case known to him to the Board at its first meeting after he issues the orders of suspension and thereupon the Board shall appoint one of its members other than the Managing Director to hold an inquiry into the charges against such employee and to make a report to the Board. During such suspension, the employee shall receive subsistence allowance equal to one half of his average pay provided that if the suspension is held by the Board to be wholly unjustified or the employee is fully exonerated, the period of suspension shall be treated as on duty and the employee shall be entitled to the difference between his subsistence allowance and the emoluments which he would have received but for such suspension for the period he was under suspension. In any other case, the employee shall be entitled to only such proportion of pay and allowance as the Board may decide on the recommendations of the enquiry officer after deducting the amount of subsistence allowance and dearness allowance drawn during the period of suspension provided that the Board shall not pass any order which shall have the effect of compelling the employee to refund the amount drawn by him by way of subsistence and dearness allowances during the period of suspension.

### SECTION 2—*Appeals.*

38. *Right to Appeal.*—An employee shall have a right of appeal against any order passed by a superior authority which injuriously affects his interest.

39. *Appellate authorities.*—(1) An appeal shall lie:—

(a) against any orders passed by the Secretary in exercise of the powers conferred on him by, or under, these Regulations to the Managing Director, and

(b) against the orders of the Managing Director, to the Board.

(2) An application for revision or review of an original order passed by the Board shall be submitted to the Board.

40. *Conditions which an appeal should satisfy.*—Every appeal shall comply the following requirements:—

(a) It shall be signed and be couched in polite and respectful language and be free from unnecessary padding or superfluous verbiage;

(b) It shall contain all material statements and arguments relied on, and shall be complete in itself;

(c) It shall specify the relief desired;

(d) It shall be submitted through the proper channel;

(e) It shall be filed within one month from the date of the order.

41. *When appeals may be withheld.*—An appeal may be withheld by Managing Director, if:—

(a) It does not comply with the requirements of Regulation 40.

(b) It is illegible or is unintelligible.

(c) It deals with a matter which does not concern the employee personally.

(d) It repeats an appeal already rejected by the authority to whom the appeal is addressed and does not, in the opinion of the Secretary or the Managing Director, as the case may be, disclose any new points or circumstances which afford ground for reconsideration; provided that when an appeal is withheld under this clause, the Secretary or the Managing Director shall submit to the appellate authority concerned a statement of the grounds on which the appeal is withheld.

(e) It is addressed to an authority to which no appeal lie under these regulations.

42. *Grounds for withholding the appeal to be communicated to the Applicant.*—In every case in which an appeal is withheld the authority withholding the appeal shall inform the applicant the fact of withholding the appeal and the reasons for withholding it.

43. *Appeal must be forwarded to the appellate authority with due despatch.*—An appeal which is not withheld under Regulation 41 shall be forwarded to the appellate authority with the comments of the Secretary or the Managing Director, as the case may be, as soon as possible.

44. *No appeal lies against order withholding appeal.*—No appeal shall lie against the withholding of an appeal.

45. *Appeals not to be addressed to Directors or the State Government.*—Appeals shall not be addressed to the Ministers or Officers of the State Government, or to the Directors of the Board personally and any such action shall be deemed to be a breach of discipline.

46. *Joint petitions.*—The provisions of Regulations 40 to 45 shall also apply to the extent they are relevant to petitions which concern more than one employee and are preferred jointly by a class or group of employees or by an association or union of employees recognised by the Corporation. A joint petition shall not be entertained if:—

(a) it relates to a subject on which the Managing Director is authorised to pass orders, and no application for redress has been made to him;

(b) it relates to a matter regarding the redress of which a specific procedure has been prescribed under any rule or instruction issued by the Corporation; or

(c) it relates to an individual and is not submitted by him.



## CHAPTER V

## Pay, Allowances and other Concessions.

## SECTION 1—Pay and Allowances.

47. *When accrue and payable.*—subject to the provisions of these Regulations, pay and allowances shall accrue from the commencement of the service of an employee, and shall become payable on the afternoon of the last working day of each month in respect of the service performed during the said month.

48. *When not payable for a part of a month.*—Pay and allowances shall not be payable for a part of a month to an employee who leaves or discontinues his service without due notice during a month, unless such notice has been waived by the Managing Director.

49. *When cease*—Pay and allowances shall cease to accrue as soon as an employee ceases to be in service. In the case of an employee dismissed from the Corporation's service, they shall cease from the date of his dismissal. In the case of an employee who dies while in service, they shall cease from the day following that on which the death occurs.

50. *All employees to be graded.*—Every employee who is confirmed after his probationary period completed shall have a post in one of the grades referred to in Appendix I which will be considered as his substantive grade, and to which he shall revert when he ceases to be—

(a) under suspension, or

(b) on leave or deputation, or

(c) holding a temporary post or officiating in another grade.

51. *Adjustment of pay and allowances on change of charge, when takes effect.*—An employee shall commence to earn the pay and allowance of a post to which he is appointed as from the date on which he assumes the duties of the post, if the charge is transferred before noon of that date and from the following working date if the charge is taken over in the afternoon of that date.

52. *Two persons not to be appointed to a post at the same time.*—Except as otherwise provided in these regulations no two persons may be appointed to, or draw the pay and allowances of a post at the same time.

53. *Employees on transfer.*—Where an employee is transferred from one post to another, he shall, during any interval of duty between the date of his handing over charge of the old post, and the date of his taking over charge of the new post, draw the pay and allowance of the old or the new post, whichever are less.

54. *Admissibility of allowances.*—Allowance shall only be payable employees who are actually at the time fulfilling the conditions subject to which they are admissible.

55. *Over-time allowance.*—(1) Notwithstanding the fact that whole time of an employee is at the disposal of the Corporation, the Corporation may grant over-time allowance, not counting as pay,

to an employee in class 'B or C and who is required to work on Sundays or holidays or to put in extra hours on week days in connection with the Corporation's work, provided that such an employee when required to work on any Sunday or holiday may instead of such over-time allowance be given by the Corporation another holiday in lieu of such Sunday or holiday.

(2) The rate, at, and the circumstances in which such allowance may be drawn shall be determined by the Board.

56. *Increments.*—(1) In an incremental scale, the increment shall accrue on the completion of each specified period of service on each stage of that scale, whether such service be probationary, officiating or substantive.

Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there is an intermediate grade between the two in which he would have officiated had he not been appointed to officiate in the higher grade, also in the intermediate grade but the period during which an employee is on leave without pay will not count for increment unless so authorised by the Managing Director for reasons to be recorded in writing. Sanction to draw increments will be given by the Managing Director in the case of Officers, and by the Secretary in the case of other employees.

(2) No increment may be withheld except as a disciplinary measure under Regulation 37 and each order withholding an increment shall state the period for which it is withheld and whether the withholding shall have the effect of postponing further increments.

57. *Premature increments.*—The Board may grant premature increments to an employee provided that such increments shall be given only in special cases as recognition of outstanding ability of an employee and provided further that such increment shall not affect seniority of an other employee of the Corporation.

58. *Refixation of pay on promotion.*—On promotion from one grade to another, the substantive pay of an employee shall be initially fixed at the stage in the new scale which is next above his substantive pay in the old scale.

59. *Officiating pay.*—An employee who is appointed to officiate in a higher grade shall, so long as he shall officiate on such a grade, draw an officiating pay equal to the difference between the substantive pay in the old scale and the stage in the scale of pay of the post to which he is appointed, which is next above his substantive pay in the old scale, provided that when the promotion is of a temporary nature and the circumstances of the promotion so justify, the Managing Director may fix the pay of an employee at an amount less than that admissible under this Regulation.

60. *Refixation of pay on transfer from one scale of pay to another.*—When an employee is transferred from one scale of pay to another on the revision of the scale or otherwise and such transfer

does not involve the assumption of duties or responsibilities of greater importance, his initial pay on the new scale shall be fixed:—

- (a) in case his substantive pay on the old scale is lower than the minimum of scale to which he is transferred, at the minimum of the new scale;
- (b) in other cases, at a stage which is equal to his substantive pay in the old scale, or if there is no such stage in the new scale, the stage below that pay plus personal pay equal to the difference, such personal pay to be drawn until such time as it is absorbed by subsequent increments in the new scale.

61. *Pay and allowances.*—The scales of pay attached to the various posts under the Corporation shall be those laid down in appendix I to these Regulations and the same shall not be varied without first amending the relevant regulation.

62. *Special pay.*—The grant of special pay to an employee shall require the sanction of the Board.

63. *Personal pay.*—The grant of personal pay in the circumstances referred to in regulation 3 and also in any other cases shall be subject to the prior sanction of the Board.

## CHAPTER VI

### Leave

#### Section 1.

64. *Kind of leave.*—Subject to the provisions of these regulations the following kinds of leave may be granted to an employee:—

- (a) Casual Leave;
- (b) Ordinary Leave;
- (c) Sick Leave;
- (d) Special Leave;
- (e) Extraordinary Leave;
- (f) Maternity Leave.

65. *Authorities empowered to grant leave.*—The power to grant leave shall vest in the Managing Director in the case of Officers and subject to such general or special direction as may be issued by him, in the Secretary in the case of other employees and except as provided in these regulations or in any directions issued by the Managing Director, all applications for leave shall be addressed to the authority empowered to grant leave.

66. *Power to refuse leave or recall an employee on leave.*—Leave cannot be claimed as of right. When the exigencies of the service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it, and an employee already on leave may be recalled by that authority when it considers this necessary in the interest of the Corporation.

67. *Lapse of leave on cessation of service.*—Leave earned by an employee lapses on the date on which he ceases to be in service.

68. *Earlier return from leave.*—Unless he is permitted so to do by the authority which granted his leave, an employee on leave may not return to duty before the expiry of the period of leave granted to him.

69. *Commencement and termination of leave.*—(1) The first day of an employee's leave is the working day succeeding that upon which he made over charge.

(2) The last day of an employee's leave is the working day preceding that upon which he reports his return to duty.

(3) A substitute appointed in a leave vacancy shall be considered to be on duty on that post during the period of leave as defined in sub-regulations (1) and (2) of this Regulation.

70. *Obligation to furnish leave address.*—An employee shall, before proceeding on leave, intimate to the authority granting leave his address while on leave, and shall keep the said authority informed of any change in the address previously furnished.

71. *Station to which an employee should report on return.*—an employee on leave shall unless otherwise instructed to the contrary, return for duty of the place at which he was last working.

72. *When medical certificate of fitness may be demanded.*—The Managing Director may require an employee who has availed himself of leave for reason of health to produce a medical certificate of fitness before he resumes duty even though such leave was not actually granted on a medical certificate.

73. *Leave not admissible to an employee under suspension.*—Leave may not be granted to an employee under suspension or against whom proceedings are pending under Chapter IV of these Regulations.

## SECTION 2.—Ordinary leave.

74. *When applications should be submitted.*—(1) Application for ordinary leave required shall ordinarily be submitted at least one month before the date for which leave is required.

(2) Applications which do not satisfy the requirements of this regulation may be refused without reason being given.

75. *Scale on which ordinary leave is earned.*—(1) The amount of ordinary leave earned shall be one-eleventh part of duty in case of employees in Class A & B, while in case of employees in Class C the amount of ordinary leave earned shall be one-sixteenth part of duty; provided that an employee will cease to earn such leave when the ordinary leave due aggregate to—

(a) 120 days in case of the employees in class A & B.

(b) 80 days in case of the employees in class C.

(2) In calculating ordinary leave earned by an employees, an account shall first be taken of the complete periods of eleven months in case of A & B class employees and sixteen months in case of C class employees during which an employee has been on duty since the date of his appointment, or last return from leave, and the

employee allowed credit in his leave account for one month for each period of eleven months or sixteen months of duty as shall be admissible to him under sub-regulation (1); thereafter, an account shall be taken of any balance of the period of duty left over and the employee shall be credited with one day for every eleven days of duty rendered by him.

Fractions of a day of earned leave shall be taken as a full day, if amounting to half a day or more, and shall be ignored if amounting to less than half a day.

76. *Ordinary leave due.*—The ordinary leave due to an employee is the period which he has earned diminished by the period of leave actually taken.

77. *How extra leave earned.*—Notwithstanding anything contained in the proviso to Regulation 75 (1) an employee shall continue to earn ordinary leave during the next twelve months at the rate specified in Regulation 75 (1) if he refused leave of—

(a) three months or more in the event of his being a class A or B Employee;

(b) 60 days or more in the event of his being a class C Employee;

provided that such employee shall avail of such refused leave if given during the said period of twelve months and after getting such leave he shall cease to earn the extra leave earned under this Regulation.

78. *Pay during ordinary leave.*—An Employee on ordinary leave shall draw a leave pay equal to his average pay.

### SECTION 3.—Casual, sick, special, extraordinary and maternity leave.

79. *Casual leave.*—(1) Casual leave may be granted to an employee upto a maximum of 15 days in each calendar year, provided that not more than six days' leave may be taken continuously, that the state of work permits and that no appointment is required to replace the employee on leave and provided that public holidays may not be combined with such leave in such a way as to increase the absence at any one time beyond the eight days. Casual leave may not be granted in combination with any other kind of leave.

*Explanation.*—In computing casual leave intervening Public holidays shall not be reckoned as days of casual leave.

(2) If the absence of an employee is extended beyond the limits laid down in this regulation, or if any of the other conditions laid down in this regulation is not fulfilled, the employee shall be treated as on ordinary leave for the entire period of his absence.

(3) Notwithstanding anything contained in this regulation, the Managing Director may, when the absence is necessitated by reason of an employee being a member of auxiliary forces, having to attend an annual camp or be on training, grant casual leave which may not be debited to leave account of such an employee.

(4) When there are other exceptional circumstances necessitating the grant of casual leave in excess of the prescribed limits the same may be granted, provided that the total period of casual leave granted to an employee in any one calendar year shall in no case exceed 30 days and if the grant of casual leave under this sub-regulation shall result in the total period being extended beyond 30 days, any period of absence in excess of 30 days shall be treated subject to the provisions of regulation 80 as ordinary, sick, special or extraordinary leave, as the employee concerned may request.

80. *Sick and special leave limit up to which may be granted.*—

(1) During the full period of his service an employee may be granted special leave, on private affairs and sick leave on medical certificate, for a period calculated at the rate of—

(a) 20 days for each completed year of service in case he is an employee in class A & B; and

(b) 15 days for each completed year of service in case he is an employee in class C.

Sick or special leave may not be availed of if ordinary leave is admissible.

(2) In case an employee is absent from duty on account of quarantine, the Corporation may, at the request of the employee concern, treat such absence, up to a maximum period of three months, as ordinary, sick or special leave if such leave is otherwise permissible. Special or sick leave under this sub-Regulation may be availed of even if ordinary leave is admissible.

81. *Pay during sick and special leave*—Sick and special leave shall be on half average pay, subject to the maximum of Rs. 500/- per month and such pay shall be reduced (unless the Board sanctions otherwise) to one quarter of average pay after twelve months in the case of sick leave and six months in the case of Special leave; provided that where an employee has served the Corporation for atleast a period of five years, he may, if he so requests, be permitted to avail himself of sick leave on average pay up to a maximum period of six months during the full period of his service, such leave on average pay being entered as twice the amount of leave taken in his sick leave account.

82. *Extraordinary leave.*—Extraordinary leave calculated at the rate of Half Month for every year of service may be granted to an employee when no ordinary leave is due to him and when having regard to his length of service sick or special leave is not considered justified. Except in exceptional circumstances, the duration of extraordinary leave shall not exceed four months on any one occasion and 12 months during the entire period of an employee's service.

(2) An employee may be granted extraordinary leave in combination with, or in continuation of leave of any other kind admissible to the employee; and may commute retrospectively periods of absence without leave into extraordinary leave.

(3) No pay and allowance are admissible during the period of extraordinary leave, and the period spent on such leave shall not count for increments; provided that, in cases where the Managing Director is satisfied that the leave was taken on account of illness or for any other cause beyond the employee's control, he may direct that the period of extraordinary leave may count for increments up to a total period not exceeding two months.

82 A. *Maternity leave*.—A female employee may be granted maternity leave on full pay for a period not exceeding 3 months but the period of such leave shall not extend beyond six weeks from the confinement of the employee, provided that such leave shall not exceed nine months in all during the entire period of her service.

## CHAPTER VII

### Compensatory Allowance

#### SECTION 1.—General.

83. *Kinds of Compensatory Allowances*.—(1) The following kinds of compensatory allowances shall be granted in accordance with the provisions of this section:—

- (a) Dearness Allowance;
- (b) Travelling Allowance; and
- (c) Halting Allowance.

(2) The grant of a compensatory allowance not mentioned in sub-Regulation (1) shall require the specific sanction of the Board in each case.

84. *Compensatory Allowance not to be Source of Profit*.—The grant of compensatory allowance shall be so regulated that the allowance shall not, on the whole, be a source of profit to the recipient.

#### SECTION 2.—Dearness Allowance.

85. *At what rate to be paid*.—(1) Dearness Allowance shall be paid at the rate as given in Appendix II.

(2) *Dearness allowance during leave*.—A dearness allowance may be drawn during leave, not being extraordinary leave, provided that the duration of the leave does not exceed four months. If leave taken exceeds four months; the allowance shall cease after leave for four months has been availed of.

#### SECTION 3.—Travelling Allowance.

86. *Employees on tour*.—An employee travelling on inspection or other duty shall be reimbursed his travelling expenses on the following scales each way:—

Grade	Class	Extra fare
If the pay of the employee is Rs. 500/- or more per mensem.	First class or if the train by which he travels provides no first Class then the next highest class below provided on the such train.	12 pies per mile.

If the pay of the employee exceeds Rs. 150/- but is less than Rs. 500/- per mensem.	—do—	8 pies per mile.
If the pay of the employee exceeds Rs. 80/- but does not exceeds Rs. 150/- per mensem.	Second Class, or if there is no Second Class the Class lower to it.	4 pies per mile.
If the pay of the employee does not exceeds Rs. 80/- per mensem.	The lowest class, whether it be called lower, third or fourth.	3 pies per mile.

*Explanation:—*For the purpose of this Section, travelling by Road includes travelling by sea or river in a steam-launch or in any vessel other than a steamer and travelling by canal.

For Journeys by road, mileage allowance is calculated at the following rates for each mile travelled except in any case for which different rates are specially provided.

Grade	Employees using their own conveyance.	Employees hiring a conveyance
1	2	3
An employee drawing pay of Rs. 500/- or more, per mensem : Motor Car.	8 annas per mile.	Actual cost of hiring the conveyance in whole or in part subject to a limit of 9 mile.
Motor Cycle.	3 annas per mile.	
Any other means of conveyance	2½ annas per mile.	
An employee drawing pay of more than Rs. 150/- but less than : Rs. 500/- per mensem.		Actual cost of hiring the conveyance in whole or in part subject to a limit of 7 annas per mile.
Motor Car ....	6 annas per mile.	
Motor Cycle ....	3 annas per mile.	
Any other mode of conveyance ....	2½ annas per mile.	
An employee drawing pay of more than Rs. 80/- but not exceeding Rs. 150/- per mensem.		Actual cost of hiring not more than two seats in a conveyance to a limit of 3½ annas per mile.
Motor Cycle ....	3 annas per mile.	
Any other means of conveyance ....	2½ annas per mile.	



An employee drawing up to Rs. 80/- as pay per mensem. .... 2 annas per mile.	Actual cost of hiring not more than one seat in a conveyance subject to a limit of 2 annas per mile.
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*Employees of corporation travelling in public conveyance:—*

The mileage allowance admissible to an employee of the Corporation travelling in a motor vehicle plying regularly for conveyance of passengers will be the actual cost of hiring a single seat, provided that for journeys of over 20 miles, for which no halting allowance is admissible in addition to road mileage one and a half time the cost of a single seat may be allowed, the extra half being limited to halting allowance.

The actual cost should be calculated, in the case of Class C employee of the Corporation on the basis of the fares of the lowest class, when two or more classes are provided on the vehicle and in other cases on the basis of the class actually used, subject of course, to the maximum limits prescribed above.

The employees of the Corporation claiming travelling allowance at higher rates shall be required to furnish the following certificate on their travelling allowance bills before they are countersigned by the controlling officer:—

"I certify that I did not perform the road journeys for which mileage allowance has been claimed by taking a single seat in a motor vehicle plying regularly for conveyance of passengers".

*87. Employees summoned to give evidence in court of Law:—*

An employee who is summoned to give evidence in a court of Law in respect of any facts which have come to his knowledge in the discharge of his duties, shall be entitled to travelling allowances under regulation 86 but in every such case in which an employee draws as allowance from the Corporation under this Regulation any payments made by the Court to meet his travelling expenses shall be credited to the Corporation.

*88. Travelling allowance not admissible on termination of service:—*No person is entitled to any travelling allowance from the Corporation for a journey undertaken on retirement, resignation or dismissal from the Corporation's service, or unless the Managing Director otherwise directs in any particular case on the termination of his service under Regulation 16.

*89. Route by which travelling allowance is admissible:—*Travelling allowance is admitted on the basis of a journey by the shortest route, that is to say the route by which an employee can reach his destination in the shortest possible time by the ordinary modes of travelling. Travelling allowance by a route costlier than the shortest may not be admitted even though the employee actually travels by that route, but if an employee travels by a route which is

not shortest but is cheaper than the shortest his travelling expenses shall be calculated on the route actually used. The expression 'journey by the shortest route' shall not include a travel by air.

90. *Obligation to travel by the class of accommodation for which travelling Allowance is admissible:*—(1) An employee must travel by the class of accommodation for which travelling allowance is admissible to him and if he shall travel in a lower class he shall be entitled to the fare of the accommodation actually used plus the extra fare admissible for the journey of the class by which he is entitled to travel.

(2) An employee may not be paid travelling allowance on the basis of a journey in a higher class unless he is specifically authorised to travel in a higher class by the Managing Director in the interest of the Corporation.

91. *Not admissible to join First Appointment:*—Except with the sanction of the Board, no travelling allowance may be paid to a person to join his first appointment in the Corporation.

92. *Employees using their own Conveyance:*—An employee who travels on duty in a conveyance owned by him may be reimbursed his travelling expenses on the basis and in the manner laid down in this section as if the journey had been performed by one of the ordinary modes of transport.

93. *Employees travelling in a Conveyance supplied by the corporation or another employee:*—An employee who travels in a conveyance supplied by the Corporation or by another employee of the Corporation will have the travelling allowance to which he is entitled reduced by the amount of fare or fares which, but for such free transit, he would have paid.

94. *Employee travelling by bus etc:*—If the employee travels between places which are connected by rail, or by omni-bus or by other means of transport, he shall be reimbursed his travelling expenses on the basis of a journey by rail, provided that if the fares actually paid by him or less than the fares payable for the journey by rail, he shall be entitled to draw only the actual fares paid by him, plus the extra fares by rail admissible to him.

95. *Calculations to be based on ordinary rates:*—Where a railway system has two fares, one for journeys by mail or express, and the other ordinary, the travelling allowance shall be calculated on the basis of ordinary fares unless the employee actually travels by mail or express in which case an increase may be allowed in his bill to the extent of the additional cost of the fares actually incurred by him.

96. *Employee travelling within municipal limits:*—An employee travelling on duty within five miles of headquarter, or within the municipal limits, whichever is farther, shall be entitled only to

the actual amounts, limited to the amount of halting allowance admissible to an employee under Regulation 104 which he may spend (in payment of ferry and other tolls if any) and fare for journeys by rail or other public conveyance.

97. *Journeys not provided in this section*.—For any journeys undertaken by an employee for which no provision is made in this Section, he shall draw travelling allowance on such scale as may be fixed by the Board, having regard to the cost and the modes of transport obtaining in the area in which the journey is undertaken, and the basis on which reimbursement of travelling expenses is allowed by the State Government to its employees in similar circumstances.

98. *Advance to meet travelling expenses*.—An employee who is required to travel on the Corporation's business may draw an advance to meet his travelling expenses.

#### SECTION 4—*Halting Allowance.*

99. *Definition*.—"Halting Allowance" is a payment made to an employee in addition to other emoluments for any day during which an employee is absent from headquarters on duty and is intended to cover the ordinary daily expenses incurred by him in consequence of such absence.

100. *To whom admissible*.—Halting allowance may be granted:—

- (1) to an employee engaged on inspection duty;
- (2) to an employee who is temporarily moved from his headquarters under any other circumstances; provided that the employee is not in receipt of a deputation allowance.

101. *Period for which may be granted*.—(1) The maximum period for which halting allowance may be drawn shall not exceed 10 days at any one time; provided that in special circumstances the limit of 10 days may be extended at the discretion of the Managing Director on such conditions as he thinks fit if he is satisfied:—

(i) That prolonged absence for headquarters is necessary in the interest of the Corporation; and

(ii) the grant of halting allowance for a further period is essential to avoid hardship to the employee.

(2) In any case, in which limit is extended in pursuance of the proviso to sub-regulation (1), it shall be open to the Managing Director to reduce the rate of allowance to such extent as he may deem appropriate.

102. *Halting allowance during leave or holidays*.—Halting allowance may be drawn for holidays occurring during a tour but no halting allowance shall be admissible during casual leave or other leave unless the leave is necessitated by illness and is supported by medical certificate.

103. *Employees summoned to give evidence in court*.—An employee who is summoned to give evidence in a court of Law in

respect of any facts which have come to his knowledge in the discharge of his duties shall be entitled to a halting allowance under regulation 104 but in all such cases any subsistence allowance paid by the Court shall be credited to the Corporation.

104. *Rate of halting allowance.*—The halting allowance shall be paid to the employee at the following rates:—

- |   |                    |
|---|--------------------|
| (i) Employee drawing pay Rs. 500/- or more per mensem,                                  | Rs. 10/- per day.  |
| (ii) Employees drawing pay exceeding Rs. 300/- but less than Rs. 500/- per mensem.      | Rs. 6/- per day.   |
| (iii) Employees drawing pay exceeding Rs. 150/- but not exceeding Rs. 300/- per mensem. | Rs. 5/- per day.   |
| (iv) Employees drawing pay exceeding Rs. 80/- but not exceeding Rs. 150/- per mensem.   | Rs. 3/- per day.   |
| (v) Employees drawing pay up to Rs. 80/- per mensem.                                    | Rs. 1/8/- per day. |

*Explanation:*—"day" means a calendar day beginning and ending at mid-night, but an absence from headquarters which does not exceed 24 hours shall be reckoned for all purposes as one day at whatever hours the absence begins or ends.

*Authority to pay halting allowance at a higher rate.*—The Managing Director may authorise the payment of halting allowance at a rate higher than that admissible under regulation 104 where an employee had to halt at a place which is considered to be specially expensive provided that this discretion shall not be exercised unless on proof being furnished, the Managing Director is satisfied that the grant of halting allowance at a higher rate is essential to avoid hardship to the employee, and provided further that the increase shall not, for any day exceed 50% over the rate admissible under regulation 104.

106. *Advance to meet halting allowance:*—An employee may draw an advance to cover the expenses of his halt up to the amount admissible to him as halting allowance.

## CHAPTER VIII

### *Medical attendance.*

107. *Ordinary medical attendance provided by the corporation.*—Ordinary medical attendance shall be provided the Corporation for its employees. Fees not included in ordinary medical attendance may be paid by the Corporation only in exceptional circumstances and at the absolute discretion of the Managing Director except to employees of Class 'A' which shall be subject to approval of the Board.

*Explanation:*—Ordinary medical attendance shall not be deemed to include hospital fees (other than fees for medical attendance), or nursing charges.

## APPENDIX I.

*Scale of pay.*

(1) The scales of pay for Class A officers, shall be as follows:—

1. Secretary	....	500-30 800.
2. Accountant	....	350-25-600.
3. Assistant Accountants	....	200-15-350.

(2) The scales of pay for employees in Class B, shall be as follows:—

1. Steno-Typist	....	120-10-220
2. Senior Clerk	....	100-8-140-10-200.
3. Clerk	....	80-4 100-5-125.
4. Typist	....	80-4-100-5 125.

(3) The scales of pay for employees in class C, shall be as follows:—

1. Peons	....	30-1-40-2 50.
2. Chowkidar	....	30-1-40-2-50.

APPENDIX II  
DEARNESS ALLOWANCE.

1. Secretary	Rs. 75/- per month.
2. Accountant	Rs. 60/- per month.
3. Assistant Accountants	Rs. 50/- per month.
4. Employees drawing Rs. 100/- or over	Rs. 40/- per month.
5. Employees drawing below Rs. 100/-	Rs. 30/- per month.
6. Peons and Chowkidar	Rs. 25/- per month.

By Order of the Board of Directors.

S. B. L. BHARGAVA

*Managing Director.*

## Rajasthan Financial Corporation ( Staff ) Regulations, 1958

*Published in Raj. Raj-patra part IV (c) dated October 22, at page 828*

### STAFF REGULATIONS

1. Page 1071 Sub-Regulation (g) (i) of Regulation 3, line 4 : The letter 'S' should be deleted from the word 'measures'.
2. Page 1073 Regulation 5 line 3 : The figure '(3)' be added after the figure '79'.
3. Page 1073 Sub-Regulation (2) of Regulation 6 line 3: The word 'the' be added after the word 'and'.
4. Page 1078 Regulation 29 line 4 : The word 'be' should be read as 'he'.
5. Page 1096 Regulation 96 line 5 : Insert, ' ' 'after the figure '104'.
6. Page 1098 line 20: The figure '105' should be added before the word 'Authority'.

*Published in Raj. Raj-patra part IV (c) at page 11*

### NOTIFICATIONS

*Jaipur, June 29, 1960.*

No. D. 7427/F' 30(8) I/A/59.—II—In exercise of the powers conferred by Section 48 of the State Financial Corporation Act 1951, the Governor is pleased to make the following amendments in Appendix II of the Rajasthan Financial Corporation (Staff) Regulations, 1958 :—

For Appendix II the following Appendix shall be substituted with effect from 1st August, 1959 :—

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#### Dearness Allowance

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1. Employees drawing upto Rs. 50/-	Rs. 35/-
2. Employees drawing Rs. 51 to Rs. 99/-	Rs. 40/-
3. Employees drawing Rs. 100/- to Rs. 199/-	Rs. 50/-
4. Employees drawing Rs. 200/- to Rs. 250/-	Rs. 55/-
5. Employees drawing Rs. 251/- to Rs. 400/-	Rs. 60/-
6. Employees drawing Rs. 401/- to Rs. 500/-	Rs. 70/-
7. Employees drawing Rs. 501/- to Rs. 600/-	Rs. 80/-
8. Employees drawing Rs. 601/- to Rs. 700/-	Rs. 90/-
9. Employees drawing Rs. 701/- or over	Rs. 100/-

*Jaipur, June 29, 1960.*

No. D. 7427/F. 30 (8) I/A/59.—In exercise of the powers conferred by Section 48 of the State Financial Corporations Act 1951, the Governor is pleased to make the following amendments in Regulations 107 of the Rajasthan Financial Corporation (Staff) Regulations, 1958.

For regulation 107 the following Regulation shall be substituted :—

“107 (i) ordinary medical attendance shall be provided by the Corporation for its employees.” Explanation :—Ordinary Medical attendance shall not be deemed to include hospital fees (other than fees for Medical attendance), Nursing or nursing home fees or specialists fees. Fees not included in ordinary Medical attendance shall be paid by the corporation only in exceptional circumstances and at the discretion of the Board in the case of Officers and the Managing Director in the case of other employees.

“107 (ii) Medical expenses of an employee and his or his family consisting of wife/husband and Minor legitimate children depending on the employee duly certified by a qualified Medical practitioner recognised by the corporation, will be reimbursed by the corporation subject to a maximum of Rs. 60/- per year for each employee. Cases involving expenditure of more than Rs. 60/- per year for each employee shall be submitted to the Executive Committee/Board, for orders”.

By Order,  
P. N. SETH  
Dy. Secretary to Government.

# RAJASTHAN FINANCIAL CORPORATION EMPLOYEES PROVIDENT FUND REGULATIONS, 1958.

## CHAPTER I

*Preamble.*—Whereas as it is necessary to establish and maintain provident fund for the benefit of the employees of the Rajasthan Financial Corporation, the Board of Directors of the Rajasthan Financial Corporation, in exercise of the powers conferred by Section 48 of the State Financial Corporation Act, 1951 (LXIII of 1951), and after consultation with Reserve Bank of India and with the previous sanction of the Government of Rajasthan has made the following Regulations:—

1. *Short Title.*—These Regulations shall be known as the “Rajasthan Financial Corporation Employees” Provident Fund Regulations, 1958”

### *Notes.*

Clause (k) of sub-section (2) of section 48 of the State Financial Corporation Act, 1951 authorises the Board of Directors of the Corporation to frame regulations so as to provide for the establishment and maintenance of provident or benefit fund for the employees of the Corporation. Present regulations fulfil this requirement in respect of provident fund benefits.

2. *Application.*—They shall apply to every wholetime employee of the Corporation;

Provided that nothing in these Regulations shall apply to—

(a) The Managing Director, unless the application to him of all or any of these Regulations has been approved by the State Government, or to

(b) Staff Employed temporarily or advisers, officers or other staff appointed on special contracts;

Provided further that the Corporation may, with the previous sanction of the State Government and in consultation with the Reserve Bank of India enter into a special agreement or arrangement with an employee, with terms and conditions which may vary from the provisions of these Regulations.

3. *Definitions.*—In these Regulations, unless there is any thing repugnant in the subject or context:—

(a) “Corporation” means the “Rajasthan Financial Corporation.”

(b) “The Board” means “the Board of Directors.” of the Corporation and in relation to any powers exercisable by it, includes the “Executive Committee.”

(c) “Emoluments” means pay, leave salary or subsistence grant as defined in the Rajasthan Financial Corporation (Staff) Regulations, 1958.

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*These rules have been first Published in Raj. Raj-patra Dated October 16, 1958 part IV (c) at page 100.*



(d) "Family" means—

(i) in the case of a male subscriber, the wife and children of a subscriber and the widow and children of a deceased son of the subscriber: Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these Regulations relate, unless the subscriber subsequently indicates by express notification in writing to the Administrators that she shall continue to be so regarded.

in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber; Provided that if a subscriber by notification in writing to the Administrators expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these Regulations relate, unless this subscriber subsequently cancels in writing her notification excluding him.

(e) "Leave" means any variety of leave except casual leave recognised under the Rajasthan Financial Corporation (Staff) Regulations, 1958 applicable to the subscriber.

(f) "The Fund" means the Rajasthan Financial Corporation Employees Provident Fund.

(g) "Year" means a financial year beginning from the 1st of April each year and ending on the 31st of March of the subsequent year.

*Note I:—* "Children" means legitimate children.

*Note II:—* An adopted child shall be considered to be a child of the subscriber when the Board is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child, but in this case only.

## CHAPTER II

4. *Constitution of the fund*—A Fund shall be created called "The Rajasthan Financial Corporation Employees' Provident Fund".

5. *Administration*.—The Fund shall be held by the Corporation and shall be administered by a Board of Administrators consisting of one subscriber nominated by the Board of Directors of the Corporation and two Directors elected by the Board of Directors of the Corporation. These persons shall be called the Administrators of the Fund.

## CHAPTER III

6. *Membership*.—(i) Every permanent employee of the Corporation shall be bound to subscribe to the Fund.

(ii) Every employee on becoming a subscriber to the Fund shall execute an agreement in the form set forth in Schedule IV to these Regulations.

7. *Rate of Subscription.*—The subscription of an employee contributing to the fund shall be  $6\frac{1}{16}\%$  (i.e. one sixteenth) of his emoluments. Such subscription shall be deducted by the Corporation from the emoluments, payable to the subscriber every month.

8. *Subscription during leave.*—The subscription of a subscriber on leave shall also be same as provided in Regulation 7 above.

9. *Contribution by Corporation.*—(i) Save as otherwise provided in these Regulations, the Corporation shall contribute every month, a sum equal to  $6\frac{1}{16}\%$  per cent. ( $1/16$ th) of the subscriber's emoluments drawn on duty or on leave, as the case may be, to his account in the Fund.

(ii) In case of a subscriber who joined the service of the Corporation prior to the commencement of these Regulations the Corporation shall make a contribution equivalent to  $6\frac{1}{16}\%$  of the emoluments drawn by him during the period of his continuous service up to the date of commencement of these Regulations, and the arrears of such subscription by the employees shall be deposited in one lump sum.

10. *Subscriber's Accounts.*—An Account shall be opened in the name of each subscriber in which shall be credited:—

- (i) The subscriber's subscriptions;
- (ii) Contributions made by Corporation to his or her account;
- (iii) Interest on subscriptions; and
- (iv) Interest on contributions.

11. *Interest.*—The Corporation shall credit interest on the amount standing to each subscriber's credit at 4% subject to such change as may be deemed necessary by the Board from time to time, such interest shall be calculated on the monthly products of each subscriber's account and shall be applied to the accounts yearly as on the 31st March.

12. *Annual Statement.*—As soon as possible after the 31st March of each year, the Administrators shall send to each subscriber a statement of his account in the Fund, showing the opening balance as on the 1st of April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date.

#### CHAPTER IV

13. *Prohibition against withdrawals and assignments.*—Except as hereinafter provided no subscriber shall be entitled to draw money from the Fund either of principal or interest or transfer or assign whether by way of security or otherwise howsoever his or her interest or any part thereof in the Fund, and no such transfer or assignment shall be valid and the Administrators shall not recognise or be bound by notice to them or any of them of any such transfer or assignment.

14. *Advances from the Fund.*—(1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the fund at the discretion of the Administrators subject to the following conditions:—

(a) No advance shall be granted unless the Administrators are satisfied that the subscriber's pecuniary circumstances justify it and that it will be expended on the following object or objects and not otherwise:—

(i) to pay expenses incurred in connection with the prolonged illness of the subscriber or any other person actually dependent on him.

(ii) to pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to perform.

(iii) to meet any other expense or liability which, in the opinion of the Administrators, is extraordinary and beyond the ordinary means of the subscriber.

(b) An advance shall not, except for special reasons, to be recorded in writing by the Administrators, exceed three month's pay and shall in no case exceed two-thirds the amount of subscriber's own subscription to the Fund and interest thereon standing to the credit of the subscriber in the Fund.

(c) An advance shall not, except for special reasons, to be recorded in writing by the Administrators, be granted until at least twelve months after the final repayment of all previous advances together with interest thereon.

(2) (a) An advances shall be recovered from the subscriber in such number of equal monthly instalments as the Administrators may direct, but such number shall not be less than twelve, unless the subscriber so elects and more than twenty-four. A subscriber may, at his option repay more than one instalment in one month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(b) Recoveries shall commence when the subscriber draws his pay for the full month for the first time after the advance is made. Recovery shall not be made, except with the subscriber's consent, while he is on leave or in receipt of subsistence grant.

(c) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the Fund.

(d) If more than one advance has been made to a subscriber each advance shall be treated separately for the purpose of recovery.

(3) (a) After the principal of the advance has been fully repaid interest shall be recovered thereon at the rate of one-fifth per cent on the principal for each month or broken portion of a month.

during the period between the drawal and complete repayment of me the principal.

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal, but if the period referred to in clause (a) of this sub-regulation exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments. The method of recovery shall be that provided in sub regulation 2 (b)

15. *Payment towards Insurance Policies.*—Sums to meet—

(a) Subscription to a family pension fund approved in this behalf by the Corporation for its employees, or

(b) payment or payments towards a policy of insurance on the life of a subscriber either alone or jointly with some other life,

may be withheld from subscriptions to the Fund, or withdrawn from the amounts subscribed thereto by the subscriber (including interest thereon), after giving seven days, prior notice to the Administrators in that behalf. Any sum or sums so withheld or withdrawn from subscriptions shall be deemed to be part of subscriptions for the purpose of calculating the Corporation's contribution under Regulation 9. Amounts withdrawn or withheld shall be returnable to the Fund in accordance with the provisions following;

Provided that such subscriber shall within a month of such withholding or withdrawal or within such extended period as the Administrators may from time to time determine, send to the Administrators, receipt or receipts or certified copies of such receipts or receipt, in proof of the application of the amount so withheld or withdrawn to the purposes specified in clauses (a) and (b) above;

Provided further that no sum withholding or withdrawal for the purpose of payment towards a policy of insurance as stated above shall be made by a subscriber unless the policy of insurance is first submitted by him to the Administrators for their scrutiny and on such scrutiny is found to be capable of being legally assigned to them as security under Regulation 16.

16. *Assignment of Policy to the Administrators.*—(i) the subscriber; within three months after the first withholding of a subscription or withdrawal from the Fund in respect of the policy, or in the case of an insurance company whose headquarters are outside India, within such further period as the Administrators may fix, shall offer himself assign or shall procure the assignment of the policy in favour of the Administrators as security for the payment of any sum which may become payable to the Fund and shall deliver the policy to the Administrators.

(ii) If the policy is not assigned and delivered within the said period of three months or such further period as the Administrators may, under sub-regulation (i) have fixed, any amount withheld or withdrawn from the Fund in respect of the Policy shall with interest thereon at the rate provided in Regulation 11 forthwith be paid or repaid as the case may be, by the subscriber to the Fund or in

default be ordered by the Administrators to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise.

(iii) Notice of assignment of the Policy shall be given by the subscriber to the insurance company, and the acknowledgement of the notice by the insurance company shall be sent to the Administrators within three months of the date of assignment.

17. *Reassignment of the Policy.*—(i) When the subscriber—

- (a) quits the service, or
- (b) has proceeded on leave preparatory to retirement and applies to the Administrators for reassignment and return of the policy, or
- (c) while on leave, has been permitted to retire or declared by competent medical authority to be unfit for further service and applies to the Administrators for reassignment and return of the policy, or
- (d) Pays or repays to the Fund the whole of any amount withheld or withdrawn from the Fund with interest thereon, the Administrators shall reassign the policy in an appropriate form to the subscriber or to the subscriber and the joint assured as the case may be and make it over to the subscriber with a signed notice of the reassignment addressed to the insurance company.

(ii) When the subscriber dies before quitting the service, the Administrators shall reassign the policy in appropriate form to such person as may be legally entitled to receive it, and shall make over the policy to such person together with a signed notice of the reassignment addressed to the insurance company.

18. *Policy Maturing.*—If a policy assigned to the Administrators, matures before the subscriber quits the service or if a policy on the joint lives of a subscriber and his wife or her husband as the case may be, assigned to the Administrators, falls due for payment by reason of the wife's or the husband's death, the Administrator shall realise the amount payable under the policy and shall appropriate from the amount so realised the whole of the amount withheld or withdrawn from the Fund in respect of the policy with interest thereon to the account of the subscriber in the Fund and shall hand over the balance if any to the subscriber or to the subscriber and joint assured or to the person legally entitled thereto. In the event of the amount assured together with the amount of any accrued bonuses realised by the Administrators is less than the whole of the amount withheld or withdrawn with interest, the Administrators shall place the amount so realised to the credit of the subscriber in the Fund.

19. *Advance utilised for different purpose.*—Notwithstanding anything contained in these Regulations, if the Administrators are satisfied that money drawn as an advance from the Fund under Regulation 14 and 15 has been utilised for a purpose other than that for

which sanction was given to the drawal, withholding or withdrawal of the money, the amount in question shall, with interest at the rate provided in Regulation 11, forthwith be repaid or paid, as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by reduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid or paid, as the case may be, be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments or moieties of his emoluments till the entire amount recoverable be repaid or paid, as the case may be by him.

*Note:*—The term “emoluments” as used in this Regulation does not include subsistence grant.

#### CHAPTER V.

20. *Nomination.*—(i) A subscriber shall, as soon as may be after joining the Fund, send to the Administrators a nomination conferring on one or more persons the right to receive the amount that may stand to his or her credit in the Fund, in the event of his or her death before that amount has become payable, or before the amount having become payable has been paid.. Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the member or members of his or her family.

(ii) If the person thus nominated is at the time of his nomination a minor or under legal disability to give a valid receipt or discharge of the Administrators, the subscriber, shall, at the time of such nomination as aforesaid, appoint another person of full age who is capable of giving a valid receipt or discharge and to whom the amount standing to the credit of the subscriber is to be paid for and on behalf of the person so nominated as aforesaid so long as he shall be a minor or be under legal disability and the receipt of the said person of full age shall during the minority or the legal disability of the person so nominated as aforesaid be a good discharge to the Administrators.

(iii) If a subscriber nominates more than one person under sub-regulation (i), he or she shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his or her credit in the Fund at any time.

(iv) Every nomination shall be in such one of the Forms set forth in the First Schedule to these Regulation as is appropriate in the circumstances.

(v) A subscriber may at any time cancel a nomination by sending a notice to the Administrators; Provided that the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this Regulation.

(vi) A subscriber may provide in a nomination:—

(a) in respect of any specified nominee that in the event of his or her predeceasing the subscriber, the right conferred

upon that nominee shall pass to such other persons as may be specified in the nomination;

- (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

(vii) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of Sub-regulation (vi) of this Regulation or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (vi) of this Regulation or the proviso thereto, the subscriber shall send the Administrators a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this Regulation.

(viii) Every nomination made and every notice of cancellation given by a subscriber, shall, to the extent that it is valid, take effect on the date on which it is received by the Administrators, provided that on such date the subscriber is in the employment of the Corporation.

21. *Time of Payment:*—The sum standing to the credit of a subscriber shall become payable on the termination of his service or on his death, provided that there may, if the Board so directs the Administrators, be deducted therefrom and paid to the Corporation:—

(a) any amount due under a liability incurred by the subscriber to the Corporation up to the total amount contributed by the Corporation to his account, including the interest credited in respect thereof; or

(b) where the subscriber has been dismissed from his employment or where the subscriber has resigned his employment under the Corporation within five years of the commencement of his permanent service, the whole or any part of the amount contributed by the Corporation to his account together with the interest credited in respect thereof.

22. *Payment on Death.*—On the Death of a subscriber—(1) When the subscriber leaves a family—

(a) If a nomination made by the subscriber in accordance with these Regulations in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to the nominee or nominees in the proportion specified in the nomination.

(b) If no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the whole amount standing

to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares; Provided that no share as stated in clause (b) of sub-regulation (1) of this Regulation shall be payable to:—

- (i) Sons who have attained legal majority;
- (ii) Sons of a deceased son who have attained legal majority;
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of a deceased son whose husbands are alive;

if there is alive any member of the family other than those specified in clauses (i), (ii), (iii) and (iv); Provided further that the widow or widows and the child or children of deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (i) of the first proviso.

(2) When the subscriber leaves no family, if a nomination made by him, in accordance with these Regulations in favour of any person subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination and the balance if any, shall be payable to the person producing legal representation to the estate of the deceased subscriber.

(3) When the subscriber leaves no family and has either failed to make nomination or has made a nomination which is not in accordance with these Regulations, the amount standing to his credit in the Fund shall become payable to the person producing legal representation to the estate of the deceased subscriber or a succession certificate claiming the amount as a debt due to the estate of the deceased subscriber.

By Order of the Board of Directors,  
S. B. L BHARGAVA,  
Managing Director.

SCHEDULE I  
Forms of Nomination  
FORM I

(When the subscriber has a family and wishes to nominate one member thereof

To,  
THE ADMINISTRATORS,  
Rajasthan Financial Corporation Employees'  
Provident Fund, JAIPUR.



Gentlemen,

I hereby nominate the person mentioned below, who is a member of my family as defined in Regulation 3 (d) of the Rajasthan Financial Corporation Employees' Provident Fund Regulations to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or before the amount having become payable has been paid:—

Name and address of nominee.	Relationship with subscriber.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
Signature of Subscriber.

Two witnesses to Signature:—

1. Name:—  
Address:—

2. Name:—  
Address:—

### FORM II

(When the subscriber has a family and wishes to nominate more than one member thereof).

To.

THE ADMINISTRATORS,  
Rajasthan Financial Corporation Employees'  
Provident Fund, JAIPUR.

Gentlemen,

I hereby nominate the persons mentioned below, who are members of my family as defined in Regulation 3(d) of the Rajasthan Financial Corporation Employees' Provident Fund Regulations to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or before the amount having become payable has been paid, and direct that the said amount shall be distributed among the said persons in the manner show below against their names:—

Name and address of nominees.	Relationship with subscriber.	Age.	*Amount, or share of accumulation to be paid to each.	Contingen- cies on the hap- pening of which the nomina- tion shall become invalid.	Name, address and relationship of the person if any, to whom the right of a nominee shall pass in the event of his predeceasing the subscriber.
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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

at \_\_\_\_\_  
Signature of Subscriber.

Two Witnesses to Signature:—

1. Name:—

Address:—

2. Name:—

Address:—

\*Note:—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

### FORM III

(When the subscriber has no family and wishes to nominate one person).

To,

THE ADMINISTRATORS,

Rajasthan Financial Corporation Employees'

Provident Fund, JAIPUR.

Gentlemen,

I, having no family as defined in Regulation 3 (d) of the Rajasthan Financial Corporation Employees' Provident Fund Regulations hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or before the amount having become payable has been paid:—

Name and address of nominee.	Relationship with subscriber.	Age.	*Contingencies on the happening of which the nomination shall become invalid.	Name address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

at \_\_\_\_\_

Signature of Subscriber.

Two witnesses to Signature:—

1. Name:—

Address:—

2. Name:—

Address:—

\*Note.—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

### FORM IV

(When the subscriber has no family and wishes to nominate more than one person).

To,

THE ADMINISTRATORS,

Rajasthan Financial Corporation Employees'

Provident Fund, JAIPUR.

Gentlemen,

I, having no family as defined in Regulation 3 (d) of the Rajasthan Financial Corporation Employees' Provident Fund Regula-

tions, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or before the amount having become payable has been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

Name and address of nominees.	Relationship with subscriber.	Age.	*Amount or share of accumulation to be paid to each.	*Contingencies the happening of which the nomination shall become invalid.	Name address and relationship of the person, if any, to whom the right of the nomination shall pass in the event of his predeceasing the subscriber.
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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19

at \_\_\_\_\_

Signature of Subscriber.

Two Witnesses to Signature:—

1. Name:—

2. Name:—

Address:—

Address:—

\*Note:—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

\*Note:—When a subscriber who has no family makes a nomination he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

### FORM V.

(For use when the person nominated is a minor or under legal disability).

To,

THE ADMINISTRATORS,

Rajasthan Financial Corporation Employees'

Provident Fund, JAIPUR.

Gentlemen,

Pursuant to Sub-regulation (ii) of Regulation 20 of the Rajasthan Financial Corporation Employees' Provident Fund Regulations, I \_\_\_\_\_ hereby nominate \_\_\_\_\_ of \_\_\_\_\_ who was born on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ (or describe the legal disability to which the nominee suffers) to receive the amount which may stand to my credit in the above Fund at the time of my death and if the said nominee shall then be a minor (or shall continue to be under legal disability), I hereby appoint \_\_\_\_\_ of \_\_\_\_\_ to receive the amount on his (or her) behalf \_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_.

Signature of Subscriber.

Two Witness to Signature:—

1. Name:—  
Address:—
2. Name:—  
Address:—

SCHEDULE II.  
*Form of Assignment*  
FORM I

I, \_\_\_\_\_ of \_\_\_\_\_ hereby assign unto the Administrators of the Rajasthan Financial Corporation Employees' Provident Fund, the within policy of assurance as security for payment of all sums which under Regulation 16 (i) of the Rajasthan Financial Corporation Employees' Provident Fund Regulations, I may hereafter become liable to pay to that Fund.

I hereby certify that no prior assignment of the within policy exists.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
at \_\_\_\_\_

Signature of Subscriber.

Signature of one witness.

FORM II

We, \_\_\_\_\_ (the subscriber) of \_\_\_\_\_ and \_\_\_\_\_ (the joint assured) of \_\_\_\_\_ in consideration of the Administrators of the Rajasthan Financial Corporation Employees' Provident Fund agreeing at our request to accept payments towards the within policy of assurance in substitution for the subscriptions payable by me the said subscriber to the Rajasthan Financial Corporation Employees' Provident Fund (or as the case may be to accept the withdrawal of the sum of Rs. \_\_\_\_\_ from the sum to the credit of the said \_\_\_\_\_ in the Rajasthan Financial Corporation Employees' Provident Fund for payment of the premium of the within policy of assurance) hereby jointly and severally assign unto the said Administrators the within policy of assurance as security for payment of all sums which under Regulation 16 (i) of the Regulations of the said Fund the said \_\_\_\_\_ may hereafter become liable to pay to that Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
at \_\_\_\_\_

Signature of Subscriber.

One Witness to Signature.

and the Joint Assured.

*Note:—*The assignment may be executed on the policy itself either in the subscriber's handwriting or in type.

### SCHEDULE III.

*Forms of Reassignment by the Administrators of the Rajasthan Financial Corporation Employees' Provident Fund).*

#### FORM I.

All sums which have become payable to the Fund by the above named \_\_\_\_\_ for which the

(subscriber)

within policy had been assigned under Regulation 16 (i) of the Rajasthan Financial Corporation Employees' Provident Fund Regulations having been paid and all liability for payment by him of any such sums in the future having ceased the Administrators of the Rajasthan Financial Corporation Employees' Provident Fund do hereby reassign the within policy of assurance to the said

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Executed by the Administrators, Rajasthan Financial Corporation Employees' Provident Fund in the presence of:—

Signature of Administrators.

(One witness who should add his designation and address).

#### FORM II.

The above named \_\_\_\_\_ having died on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ the Administrators of the Rajasthan Financial Corporation Employees' Provident Fund do hereby reassign the within policy of assurance to \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Executed by the Administrators to the Rajasthan Financial Corporation Employees' Provident Fund in the presence of:—

Signature of Administrators.

One witness who should add his designation and address).

### SCHEDULE IV.

Place:—

Date:—

To,

The ADMINISTRATORS  
of the Rajasthan Financial Corporation  
Employees' Provident Fund, JAIPUR.

Gentlemen,

I hereby declare that I have read and understood the Regulations of Rajasthan Financial Corporation Employees' Provident Fund and that I agree to be bound by them and by any subsequent amendment as may from time to time hereafter be made.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19—.

NAME (in full)

DATE OF BIRTH.

NATURE OF APPOINTMENT.

SALARY PER MONTH.

I am

Witness:—

very truly yours,

Signature:—

(Signature)

Designation

Index No.

Address;—

\_\_\_\_\_

## **Rajasthan Financial Corporation (Provident Fund) Regulations, 1958**

*Published Raj. Raj-patra part IV (c) dated October 22, 1959 at page 828*

### **PROVIDENT FUND REGULATIONS.**

1. Page 1101 Sub-Regulation (d) (i) of Regulation 3—line 5 : The words 'seased' should be read as 'ceased'.
2. Page 1106 Regulation 18 line 10 : Insert, ' ' before and after the words 'if any'.
3. Page 1108 Sub-clause (b) of Sub-Regulation (vi) line 2 : Insert, ' ' after the word 'provided'.
4. Page 1108 Sub-Clause (b) of Sub-Regulation (vi) line 3: Insert ',' after the words "that if".
5. Page 1112: Delete the last word 'the' of line 7 of 5th column of the Table of Form III.

# RAJASTHAN FINANCIAL CORPORATION (EXPENDITURE) REGULATIONS, 1958.

## Preamble.

Whereas it is desirable to prescribe the authorities which may incur expenditure on behalf of the Corporation and the conditions subject to which such expenditure may be incurred, the Board of Directors of the Rajasthan Financial Corporation, in exercise of the powers conferred by section 48 (1) of the State Financial Corporations Act, 1951 (LXIII of 1951), and after consultation with the Reserve Bank of India and with the previous sanction of the Government of Rajasthan have made the following Regulations:—

## CHAPTER I.

1. *Short title*—These Regulations shall be known as the Rajasthan Financial Corporation (Expenditure) Regulations, 1958.

### *Notes*

Sub-section (1) of section 48 of the State Financial Corporation Act, 1951 provides that,

(1) The Board may, after consultation with the Reserve Bank and with the previous sanction of the State Government, make regulations not inconsistent with this Act and the rules made thereunder to provided for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

Clause (n) of sub-section (2) of section 48 requires framing of regulations so as to ensure generally the efficient conduct of the affairs of the Financial Corporation. The Board has, therefore, framed these regulations for controlling the expenditure incurred on behalf of the Corporation.

2. *Definitions*.—In these Regulations:—

(a) the “Act” means the State Financial Corporations Act, 1951 (LXIII of 1951);

(b) the “General Regulations” means the Rajasthan Financial Corporation General Regulations;

(c) the “Corporation” means the Rajasthan Financial Corporation;

(d) “Year” means Financial year begining from 1st April and ending on 31st March;

(e) “the Secretary” in relation to any power exercisable by him includes an officer authorised by the Managing Director to exercise the powers of the Secretary during the temporary absence of the Secretary;

(f) other terms have the meaning respectively assigned to them in the Act.

3. *Powers conferred by other Regulations not affected*.—(a) Nothing in these Regulations shall limit or derogate from, any

*These rules have been first published in Rajasthan Raj-patra dated October 16, 1958 part IV (c) at page 1117.*



(ii) *Insurance*.—(a) Premia on insurance policies taken to insure Corporation's vehicle and premises and their contents against loss or damage by fire and/or earthquake may be paid by the Secretary; provided that the taking out of such policies has been approved by the Executive Committee.

(b) Premia on travel and other policies taken for the benefit of the officers and other employees may be paid by the Secretary in accordance with the respective rules of service of the Officers or other employees concerned.

(c) Any expenditure not covered by clauses (a) and (b) of this sub-regulation requires the specific sanction of the Managing Director.

(iii) *Electric Charges*.—Bills in respect of electricity consumed in the office of the Corporation may be paid by the Secretary who shall however, be responsible to see that an effective check is maintained to avoid wastage of current, and to keep the expenditure under this sub-head as low as possible.

(5) *Postage, Telegrams and Telephones*.—Expenditure under this head; which must be kept as low as possible, may be authorised by the Secretary as and when necessary, provided that, except when the Managing Director is absent, not trunk calls may be made without his specific approval; provided further that the approval of the Executive Committee shall also be required before a telephone line or connection is installed at the office or at the residence of any of the Officers of the Corporation. A record of all Trunk calls shall be properly maintained.

(6) *Printing Stationery and Stores*.—The transfer from Stationery and Stores Account to this sub-head shall be effected by the Secretary in accordance with such general or special instructions as may be issued by the Managing Director.

(7) *Depreciation and Repairs to the Corporation's Property*.—(a) Depreciation on the Corporation's property on the scales laid down by the Executive Committee may be effected by the Secretary by adjustment between the Dead stock Account and the General Charges Account in accordance with such general or special instructions as may be issued by the Managing Director.

(b) *Repairs to Corporation's Property*.—(i) Expenditure under this sub-head up to a sum of Rs. 100/- in any one financial year may be incurred by the Secretary.

(ii) Expenditure up to a sum of Rs. 1,000/- in any one financial year may be sanctioned by the Managing Director.

(iii) Expenditure in excess of Rs. 1,000/- in any one financial year requires the sanction of the Executive Committee.

(8) *Banks and Agency Charges*.—Any commission, exchange or other charges payable to any bank or other agent of the Corporation or to the post office on account of services rendered may be paid by the Secretary.

(9) *Miscellaneous*—(a) *Books and Newspapers*.—Subscriptions may be paid to debit of this sub-head by the Secretary for the

supply of (a) a copy of each of the official gazettes of the Central Government and the State Government, and (b) two daily and two weekly financial papers of repute approved by the Managing Director.

(ii) Expenditure up to a sum of Rs 200/- in any one financial year may be incurred by the Managing Director on the purchase of book, market reports, or other publications on banking, economics or finance for the benefit of the Corporation and its staff.

(iii) All additional expenditure under this sub-head requires the sanction of the Executive Committee.

(b) *Advertisements*.—All expenditure under this sub-head requires the specific sanction of the Managing Director in each case, subject to the limit fixed for each year by the Executive Committee for the purpose.

(c) *Travelling and Halting Expenses*.—Payments may be made under this sub-head by the Secretary in accordance with the respective rules of service of the officers or other employees concerned; provided that all travelling and halting allowance bills of the Secretary are approved by the Managing Director before they are passed for payment and the Travelling and Halting allowance bills of the Managing Director shall be placed before the Executive Committee, for sanction. However, in case of emergency, payment of the Bill may be made and then placed before Executive Committee.

(d) *Liveries*.—Expenditure up to Rs. 500/- may be incurred by the Managing Director under this head in each year, sanction for expenditure over Rs. 500/- will require the specific sanction of the Executive Committee.

(e) *Not Enumerated*.—(i) Any expenditure which is not properly debitable to any other head shall be classified as Miscellaneous—Not Enumerated, and may be authorised as follows:—

- |                               |   |
|-------------------------------|---|
| (a) By the Secretary          | Up to Rs. 25/- for each item but not exceeding Rs. 100/- in any one month.  |
| (b) By the Managing Director. | Up to Rs. 100/- for each item but not exceeding Rs. 500/- in any one month. |

(ii) All other expenditure debited to this sub-head requires the specific approval of the Executive Committee.

11. *Stationery and Stores*.—(i) Every effort must be made to see that the expenditure under this head is kept at a minimum and that there is no wastage, pilferage or unauthorised use of the Corporation's Stationery and Stores.

(ii) Subject to the provisions of the foregoing sub Regulation expenditure under this head may be incurred by the Secretary Provided that the Previous approval of the managing Director shall be obtained to the purchase of any article or articles of which the value or the total value exceeds Rs. 25/- in any one instance.

12. *Dead Stock Account*—[i] *Premises*—The purchase, sale and leasing and additions and alterations of Capital nature to the Premises of the corporation require the specific sanction of the Board of Directors in each case.

(ii) *Electric Installation and Equipment*—(a) Expenditure up to a total sum of Rs. 500/- may be authorised by the Managing Director under this sub-head in any one financial year.

(b) Expenditure in excess of Rs. 500/- in any one financial year requires the approval of the executive Committee;

(iii) *Vehicles*—The purchase or sale of all Vehicles may be made with the Sanction of the Board of Directors in each case and the repairs and maintenance etc. of the Vehicles up to Rs. 500/- may be made by the Managing Director.

(iv) *Furniture*

(v) *Safes Cabinets Padlocks etc.*

(vi) *Type writers, Duplicating machines.*

(vii) *Cycles.*

(viii) *Miscellaneous.*

{ Subject to Provisions  
of Regulation 7 expen-  
diture under these sub  
heads, may be incur-  
red by the Managing  
Director, as and when  
required.

but the details of all such expenditure shall be reported to the Board of Director at the end of each financial year in which the Expenditure is incurred.

13. *Maintenance*—Maintenance and service Contracts in respect of the following items or any change in the terms thereof shall require the Sanction of the Managing Director, but the recurring charges arising out of such Contracts may be paid by the Secretary as and when they fall due.

(1) Corporation's Buildings, including leased Premises;

(2) Electric installations, etc;

(3) Sanitary and Plumbing installations; and

(4) Machines [Accounting Machines, type writers, etc].

By order of the Board of the  
Rajasthan Financial Corporation.

S. B. L. Bhargava,  
Managing Director.

## **Rajasthan Financial Corporation (Expenditure) Regulations, 1958**

*Published in Raj. Raj-patra part IV (c) dated October 22, 1959 at page 829*

### **EXPENDITURE REGULATIONS**

1. Page 1118 Regulation 3 line 1: Insert letter '(a)' after the figure "3".
2. Page 1118 Regulation 3 line 2: Delete the letter '(a)' before the word 'Nothing'.
3. Page 1119 regulation 9 line 1: insert figure '(1)' before the word 'Establishment' and delete '(1)' before the words 'the expenditure'.
4. Page 1120 Sub-Regulation (4) of Regulation 10 line 1 : Insert figure '(1)' before the word 'Rent' and delete figure '(1)' before the words 'the Secretary'.
5. Page 1121 Sub-Regulation (5) line 4 : Read the word 'not' before the word 'trunk' as 'no'.
6. Page 1123 sub-Regulation (vii) of Regulation 12 : The word 'Cycles' should be replaced by the word—'Bicycles'.

*Notifications under,*

## **STATE FINANCIAL CORPORATION ACT, 1951.**

*Published in Raj. Raj-patra Dated January 18, 1955 part I (b) at page 651-654:*

### **COMMERCE AND INDUSTRIES DEPARTMENT**

#### **NOTIFICATIONS!**

**Jaipur, January 17, 1955,**

No. F. 36 (1) C & 1/55.—In exercise of the powers conferred by sub-section (1) of section 3 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Rajasthan is hereby pleased to establish a Financial Corporation for the State of Rajasthan under the name of the Rajasthan Financial Corporation.

**Jaipur, January 17, 1955.**

No. F. 36 (1) C & 1/55.—In exercise of the powers conferred by section 22 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Rajasthan is pleased to specify Jaipur to be the place at which the Rajasthan Financial Corporation shall establish its Head Office.

**Jaipur, January 17, 1955.**

No. F. 36 (1) C & 1/55.—In exercise of the powers conferred by clause (a) of section 10 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Rajasthan is pleased to nominate the following Directors of the Board of Directors of the Rajasthan Financial Corporation viz:—

1. Shri G. S. Purohit, I.A.S., Finance Secretary to Government of Rajasthan.
2. Shri G. L. Mehta, I.A.S., Commerce and Industries Secretary to Government of Rajasthan.
3. Shri P. G. Mehta, Managing Director—Jaipur Metals and Electricals Ltd., Jaipur.

**Jaipur, January 17, 1955.**

No. F. 36 (1) C & 1/55.—In exercise of the powers conferred by the first proviso to section 10 of the State Financial Corporations Act, 1951 (LXIII of 1951), read with clauses (d) and (e) of the said section, the Government of Rajasthan is pleased to nominate the following Directors for the first constitution of Board of Directors of the Rajasthan Financial Corporation, viz:—

1. Nominated under the first proviso read with clause (d) of section 10.
1. Shri Ramnath A. Podar, J.P., Podar Chambers, 109 Parsee Bazar Street, Fort Bombay.
2. Shri L. N. Birla, 8 Royal Exchange Place, Calcutta.
3. Shri Kushal Chand, Daga, Krishna Mahal, Marine Drive, Bombay.
2. Nominated under the first proviso read with clause (e) of the section 10.
1. Shri G. D. Somani, M. P., Sreenivas House, Waudby Road, Fort Bombay.

**Jaipur, January 17, 1955.**

No. F. 36 (1) C & 1/55.—In exercise of the powers conferred by clause (f) of section 10 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Rajasthan is pleased to appoint Shri S. B. L. Bhargava to be the Managing Director of the Rajasthan Financial Corporation, from the date he takes over charge, this being the first appointment to the office of the Managing Director of the said Corporation.

**Jaipur, January 17, 1955.**

No. F. 36 (1) C & 1/55.—In pursuance of sub-section (1) of section 15 of the State Financial Corporations Act, 1951 (LXIII of 1951), the Government of Rajasthan is pleased to nominate Shri Ramnath A. Poddar, J.P., as the first Chairman of the Board of Directors of the Rajasthan Financial Corporation.

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*Rules and Notifications under*

STATE REORGANISATION ACT, 1956.  
[ CENTRAL ACT No. 31 OF 1956 ]

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# RAJASTHAN ADAPTATION OF LAWS (ON STATE & CONCURRENT SUBJECTS) ORDER, 1956.

Law and Judicial (A) Department.

## NOTIFICATION

Jaipur, November 1, 1956.

*No. F. 3 (1)/LJ (A) /1956.*—Whereas by section 120 of the States Reorganisation Act, 1956, the appropriate Government is empowered, by Order to make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, for the purpose of facilitating the application of any law in relation to any of the States or Union territories formed or territorially altered by the provisions of Part II of the aforesaid Act so that every such law shall have effect subject to the adaptations and modifications so made:

Now, therefore, in exercise of the powers conferred by the aforesaid Act and all other powers enabling it in that behalf, the State Government hereby orders as follows:—

1. (1) This Order may be called the Rajasthan Adaptation of Laws (on State and Concurrent Subjects) Order, 1956.

### Notes

The enabling section 120 of the State Reorganisation Act, 1956 reads as under:—

For the purpose of facilitating the application of any law in relation to any of the States formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed day, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

*Explanation.*—In this section, the expression “appropriate Government means—

(a) as respects any law relating to a matter enumerated in the Union List, the Central Government; and

(b) as respects any other law—

(i) in its application to a Part A State, the State Government, and

(ii) in its application to a Part C State, the Central Government.

(2) It shall come into force on the 1st day of November, 1956.

2. (1) In this Order—

(a) “Act” means the State Reorganisation Act, 1956 (Central Act 37 of 1956);

(b) “appointed day” means the 1st day of November, 1956;

(c) “existing State law” means any law in force immediately before the appointed day in any area comprised in the State of Rajasthan under sub section (1) of section 10 of the Act, but does not include any law relating to a matter enumerated in the Union List;

(d) “law” means a law as defined in clause [b] of section 2 of the Act.

(2) The General Clauses Act, 1897 [Central Act X of 1897] applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. As from the appointed day, the existing State laws mentioned in any of the Schedules to this Order shall, until altered, repealed or amended by a competent Legislature or other competent authority, have effect subject to the adaptations and modifications directed by the Schedule applicable thereto, if it is so directed, shall stand repealed.

4. [1] Whenever an expression mentioned in column 1 of the Table hereunder printed occurs [otherwise than in a title or preamble or in a citation or description of an enactment] in an existing State law, whether an Act, Ordinance or Regulation mentioned in a Schedule to this Order or not, then, unless that expression is by this Order expressly directed to be otherwise adapted or modified, or to stand unmodified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table, and there shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

TABLE

1	2
<i>Law in forces in the Ajmer area</i>	
Chief Commissioner.	
Chief Commissioner for the State of Ajmer.	State Government
Chief Commissioner of Ajmer.	
Chief Commissioner, Ajmer	
Judicial Commissioner.	
Judicial Commissioner, Ajmer.	High Court of Rajasthan
Judicial Commissioner for the State of Ajmer.	
State of Ajmer.	Ajmer area.
Deputy Commissioner.	Collector.
<i>Bombay Laws</i>	
State of Bombay.	Abu area.
<i>Madhya Bharat Laws</i>	
State of Madhya Bharat.	Sunel area,
(i) Government of Madhya Bharat.	
(ii) Madhya Bharat Government.	
(iii) Government of the United State.	Government of Rajasthan.
(iv) Government of the United State. of Gwalior, Indore, and Malwa [Madhya Bharat].	
(i) United State of Madhya Bharat.	
(ii) United State of Gwalior, Indore and Malwa [Madhya Bharat].	



(iii) State of Madhya Bharat.	Sunel area.
(iv) Madhya Bharat [except where it occurs as a part of the expression "Madhya Bharat Act", Madhya Bharat Ordinance" or "Madhya Bharat legislature"]	
Suba [except where it occurs as a part of the expression "Naib Suba" Government Gazette and other expressions signifying the official Gazette of the State.	Collector.
RAJASTHAN LAWS	Official Gazette.
(i) Rajasthan	Pre-Reorganisation
(ii) State of Rajasthan	State of Rajasthan.

(2) A direction in a Schedule to this Order that a specified existing State law, or section or portion of such law shall stand unmodified shall be construed merely as a direction that it is not to be modified or adapted in accordance with the provisions of this paragraph.

5. In this Order and in any existing State law as adapted in accordance with the provisions of this Order, unless the context otherwise requires,—

(a) the expression "Abu area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Bombay as then constituted;

(b) the expression "Ajmer area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Ajmer as then constituted;

(c) the expression "Board of Revenue" shall be construed to mean the Board of Revenue constituted under the Rajasthan Land Revenue Act' 1956 [Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956];

(d) the expression "Sunel area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Madhya Bharat as then constituted.

6. Where this Order requires that in any specified existing State law, or in any section or other portion of such law, certain words shall be substituted for certain other words or that certain words shall be omitted, that substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that law, or, as the case may be, in that section or portion.

7. (1) The following provisions shall have effect where an existing State law which under this Order is to be adapted or modified has before the appointed day been amended either generally or in relation to any particular area, by the insertion or omission of words, or the substitution of words for other words—

(2) The General Clauses Act, 1897 [Central Act X of 1897] applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. As from the appointed day, the existing State laws mentioned in any of the Schedules to this Order shall, until altered, repealed or amended by a competent Legislature or other competent authority, have effect subject to the adaptations and modifications directed by the Schedule applicable thereto, if it is so directed, shall stand repealed.

4. [1] Whenever an expression mentioned in column 1 of the Table hereunder printed occurs [otherwise than in a title or preamble or in a citation or description of an enactment] in an existing State law, whether an Act, Ordinance or Regulation mentioned in a Schedule to this Order or not, then, unless that expression is by this Order expressly directed to be otherwise adapted or modified, or to stand unmodified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table, and there shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

TABLE

1	2
<i>Law in forces in the Ajmer area</i>	
Chief Commissioner.	
Chief Commissioner for the State of Ajmer.	State Government
Chief Commissioner of Ajmer.	
Chief Commissioner, Ajmer	
Judicial Commissioner.	
Judicial Commissioner, Ajmer.	High Court of Rajasthan
Judicial Commissioner for the State of Ajmer.	
State of Ajmer.	Ajmer area.
Deputy Commissioner.	Collector.
<i>Bombay Laws</i>	
State of Bombay.	Abu area.
<i>Madhya Bharat Laws</i>	
State of Madhya Bharat.	Sunel area,
(i) Government of Madhya Bharat.	
(ii) Madhya Bharat Government.	
(iii) Government of the United State.	Government of Rajasthan.
(iv) Government of the United State. of Gwalior, Indore, and Malwa [Madhya Bharat].	
(i) United State of Madhya Bharat.	
(ii) United State of Gwalior, Indore and Malwa [Madhya Bharat].	

(iii) State of Madhya Bharat.

Sunel area.

(iv) Madhya Bharat [except where it occurs as a part of the expression "Madhya Bharat Act", Madhya Bharat Ordinance" or "Madhya Bharat legislature"]

Suba [except where it occurs as a part of the expression "Naib Suba" Government Gazette and other expressions signifying the official Gazette of the State.

Collector.

Official Gazette.

# RAJASTHAN LAWS

(i) Rajasthan

Pre-Reorganisation

(ii) State of Rajasthan

State of Rajasthan.

(2) A direction in a Schedule to this Order that a specified existing State law, or section or portion of such law shall stand unmodified shall be construed merely as a direction that it is not to be modified or adapted in accordance with the provisions of this paragraph.

5. In this Order and in any existing State law as adapted in accordance with the provisions of this Order, unless the context otherwise requires,—

(a) the expression "Abu area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Bombay as then constituted;

(b) the expression "Ajmer area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Ajmer as then constituted;

(c) the expression "Board of Revenue" shall be construed to mean the Board of Revenue constituted under the Rajasthan Land Revenue Act' 1956 [Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956];

(d) the expression "Sunel area" shall be construed to mean the area in the State of Rajasthan which, immediately before the appointed day, was within the State of Madhya Bharat as then constituted.

6. Where this Order requires that in any specified existing State law, or in any section or other portion of such law, certain words shall be substituted for certain other words or that certain words shall be omitted, that substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that law, or, as the case may be, in that section or portion.

7. (1) The following provisions shall have effect where an existing State law which under this Order is to be adapted or modified has before the appointed day been amended either generally or in relation to any particular area, by the insertion or omission of words, or the substitution of words for other words—

- (a) effect shall first be given in the amending law to any adaptation or modification required by paragraphs three and six of this Order to be made therein;
- (b) the original law shall then be amended, either generally or, as the case may be, in its application to the particular area, so as to give effect to the directions contained in the amending law, or where any adaptation or modification has fallen to be made under clause (a), in that law as so adapted or modified; and
- (c) all adaptation and modification required by this Order to be made in the original law shall then be made in that law as so amended, except so far as in the case of any particular area they may be inapplicable.

(2) In this paragraph, references to the amendment of a law by the insertion or omission of words or the substitution of words do not include references to an amendment which is effected merely by directing that certain words shall be construed in a particular manner.

8. (1) Unless the context otherwise requires, any reference in any existing State law to the Legislature of a State shall (except where such reference occurs in the enacting formula of an Act) be construed as a reference to the Legislature of the State of Rajasthan.

(2) In any existing State law, references to the State Government in relation to a particular area forming part of the State of Rajasthan shall be construed for all purposes as references to the State Government of Rajasthan.

(3) In any existing State law, references to the High Court in relation to a particular area forming part of the State of Rajasthan shall be construed for all purposes as references to the High Court of Rajasthan.

(4) The provisions of this paragraph do not apply in respect of any reference which is by this Order expressly directed to be otherwise construed, adapted or modified, or to stand unmodified, or to be omitted.

9 Notwithstanding any amendment made by this Order in the extent clause of an existing State law, that law, unless expressly so provided, shall not be deemed to have been extended to any area to which it did not extend immediately before the appointed day, and a reference in that law to the State of Rajasthan shall not, unless the context otherwise requires, be deemed to include a reference to any part of that State to which that law did not extend immediately before the appointed day.

10. Notwithstanding anything in this Order, an existing State law shall not, unless expressly so provided, apply to any area in the State of Rajasthan to which it did not apply immediately before the appointed day and references in that law to States generally or to that State shall not include references to such area.

11. Save as otherwise provided by this Order, all powers which under any existing State law were, immediately before the appointed day, vested in or exercisable by any person or authority shall continue to be so vested or exercisable until other provision is made by or under the Act, or by some legislature or other authority empowered to regulate the matter in question.

12. (1) If on the appointed day, any body, authority or person entitled by or under any existing State law to exercise any rights, powers or jurisdiction or to perform any duties or to discharge any functions or to hold any property, is not or cannot be duly constituted or appointed by reason of the transfer of any area from any existing State to the State of Rajasthan, then, notwithstanding anything in such law, but save as expressly provided by or under the Act, all such rights, powers and jurisdiction shall be exercisable, all such duties shall be performed and all such functions shall be discharged by, and all such property shall vest in, the State Government.

(2) Nothing in sub-paragraph (1) shall be deemed to prevent the State Government from duly constituting or appointing under such law after the appointed day, any body, authority or person to exercise or perform or discharge all or any of such rights, powers, jurisdiction, duties or functions or vesting therein all or any part of the property aforesaid.

13. The provisions of this Order which adapt or modify any law so as to alter the manner in which, the authority by which, or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment bye-law, rule, or regulation duly made or issued, or anything duly done, before the appointed day: and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and under and in accordance with the provisions then applicable to such a case.

14. Nothing in this Order shall affect the previous operation of, or anything duly done or suffered under, any existing State law or any right, privilege, obligation or liability already acquired, accrued or incurred under any such law, or any penalty, forfeiture, or punishment incurred in respect of any offence already committed against any such law.

15. Where by virtue of any adaptation made by this Order in any existing State law, any power, authority or jurisdiction devolves on the Board of Revenue constituted under the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956), the Board shall, in the exercise of the said power, authority or jurisdiction

tion, as far as may be, follow the same procedure (including the procedure contained in section 10 to 13 of the said Act) as in the exercise of any power, authority or jurisdiction conferred by the said Act, except in so far as the existing State law provides, expressly or by necessary implication, to the contrary.

16. Where any adaptations are by this order, directed to be made in any law which has been enacted in Hindi, then—

(a) the said adaptations shall be carried out in the English translation, if any, of the said law published under the authority of the Rajpramukh of the State concerned; and

(b) whether such translation has been published or not, the provisions of the said law as enacted in Hindi shall be deemed to have been adapted to the extent necessary to give full effect to the adaptation first mentioned above.

17. In any law or instrument having the force of law, the word "pre Reorganisation" shall, except in so far as the context otherwise requires, be construed as referring to the period immediately preceding the 1st day of November, 1956; and, in particular, the expression "pre-Reorganisation State of Rajasthan" shall, except as aforesaid, mean the State of Rajasthan as constituted immediately before the said date.

### FIRST SCHEDULE.

#### AJMER LAWS, i.e. LAWS IN FORCE IN THE AJMER AREA.

Part I.—Bengal Regulation in force in the Ajmer area.

The Bengal wills and Intestacy Regulation, 1799.

(Bengal Regulation V of 1799 as in force in the Ajmer area)

Section 6.—Omit "(subject to the approbation of the Court of Sadar Diwani Adalat, to whom a report is to be made in such instances)".

Part II.—Central Acts of local applications to Ajmer area.

The Bengal Chaukidari Act, 1856.

(Central Act XX of 1856).

Section 10.—In the second paragraph, for 'and Commissioner' substitute "and the Collector".

The Northern India Ferries Act, 1878.

(Central Act XVII of 1878).

Preamble.—For "Ajmer" substitute "the Ajmer area".

Section 1.—For "Ajmer" substitute "the Ajmer area".

The Hackney-carriage Act, 1879.

(Central Act XIV of 1879).

Section 3.—For "Ajmer" substitute "the Ajmer area":

The Vaccination Act, 1880.

(Central Act XXIII of 1880)

Section 1.—For "Ajmer" substitute "the Ajmer area".

The Punjab Land Revenue Act, 1887.

(Central Act XVII of 1887, as extended to the Ajmer area).

Section 33.—In sub-section (2), omit “with the previous sanction of the Central Government”.

Section 46.—Omit “subject to the control of the Central Government”.

The Ajmer-merwara Court.Fees (Amendment) Act, 1930.

(Central Act XXXI of 1930).

Long title.—For “Ajmer-merwara” substitute ‘the ajmer area’.

Preamble.—For “Ajmer merwara” substitute ‘the Ajmer area’.

Section 1.—In sub-section (2), for “Ajmer” substitute “the Ajmer area”.

The Delhi and Ajmer-Merwara Land Development Act, 1948.

(Central Act LXVI of 1948).

Throughout the Act, references to the State of Ajmer shall be construed as references to the Ajmer area.

Section 5.—In sub-section (2), omit “submit the scheme with his report to the Central Government, which may”.

Section 19.—For “Central Government” substitute “State Government”.

Section 32.—In sub-section (1), “Central Government” substitute “State Government”.

The Ajmer Tenancy and Land Records Act, 1950.

(Central Act XLII of 1950).

Long title.—For ‘Ajmer’ substitute ‘the Ajmer area’.

Section 2.—In sub-section (2), for “Ajmer” substitute “the Ajme area”.

Section 4.—(i) In clauses (14) and (15), the words “the Chief Co n issioner” shall stand unmodified.

(ii) In clause (35), for “Chief Commissioner” substitute “Board of Revenue”.

Section 37.—In sub-section (8). for “Chief Commissioner” substitute “Board of Revenue”.

Section 38.—In sub-section (1), for “Chief Commissioner” substitute “Board of Revenue”.

Section 40 —In sub-section (4), for “Chief Commissioner” substitute “Board of Revenue”.

Section 62.—In sub-section (2), omit “with the previous approval of the Central Government”.

Section 80.—In the proviso, for “Central Government” substitute “Government”.

Sections 142, 145 and 146.—for “Central Government” substitute “State Government”

Section 149.—(i) For “Chief Commisssoner” substitute “Board of Revenue”.

(ii) For “Central Government” substitute “State Government”.

Section 154.—In clause (b), for “the Central Government” substitute “the Central Government or, as respects the period after the 1st day of November, 1956, the State Government.

Section 163.—In sub-section (1), for "Central Government" substitute "State Government".

Section 164.—For "Central Government" substitute "State Government".

Section 174.—In sub-section (1), for "to the Chief Commissioner" substitute "to the Board of Revenue".

Section 185.—For section 185, substitute:—

185. *Review.*—The Board of Revenue may on its own motion or on the application of a party, review any decree or order passed by it or by any authority whose powers and functions have, by virtue of any adaptations of laws made under the State Reorganisation Act, 1956, devolved on it".

Section 187, 189 and 191.—For "Chief Commissioner" substitute "Board of Revenue".

Section 203.—In sub-section (4), for "shall also be laid before the Parliament" substitute "shall also be laid before the State Legislature".

The Delhi and Ajmer Rent Control Act, 1952.

(Central Act XXXVIII of 1952).

Throughout the Act—

(i) words referring, expressly or impliedly, to the State of Ajmer shall be construed as referring to the Ajmer area;

(ii) references to the Central Government shall be construed as references to the State Government.

The Dargah Khawaja Sahib Act, 1955.

(Central Act No. 36 of 1955).

Throughout the Act, for "Chief Commissioner" substitute "Governor".

Section 10.—For "the residents of the State of Ajmer or any of the neighbouring State" substitute "the residents of the State of Rajasthan or any of the neighbouring States".

Part III.—Central Regulations in force in the Ajmer area.

The Ajmer Taluqdars' Relief Regulation, 1872.

(Central Regulation IV of 1872).

Section 1.—In the definition of "State Government", for 'of Ajmer' substitute 'of Rajasthan'.

Section 14, 15 and 16.—For "State Government" substitute "Board of Revenue".

Section 20.—For "State Government" substitute "Board of Revenue".

Section 32.—Omit 'approved by the Central Government and'.

The Ajmer Land and Revenue Regulation, 1877.

(Central Regulation II of 1877).

Section 1.—For "all the territories now under the administration of the State Government of Ajmer" substitute "all the territories in the Ajmer area".

Section 23.—For "Central Government" substitute "State Government".



Section 24.—For “Central Government” substitute “State Government”.

Section 30.—Omit ‘with the previous sanction of the Central Government’.

Section 34.—For “Central Government” substitute “State Government”.

Section 38.—Omit “subject to such limitations as may be prescribed by the Central Government”.

Section 39.—Omit ‘Subject only to an appeal to the Central Government’.

Section 40.—Omit “with the previous sanction of the Central Government”.

Section 59.—Omit “with the previous sanction of or under such rules as may from time to time be prescribed by the Central Government”.

Section 61.—In the second paragraph for “Central Government” substitute “State Government”.

Section 100 After section 100, insert the following part, heading and sections in place of the existing entry:—

#### PART V

##### Appointment and Powers of Commissioners and Collectors.

101. *Appointment of Commissioners and Collectors.*—(1) The State Government shall appoint:—

(a) a Commissioner, and

(b) a Collector who shall also be the Land Records Officer.

(2) The State Government may also appoint an Additional Commissioner or an Additional Collector to exercise jurisdiction in the Ajmer area exclusively or in that area combined with other areas of the State.

102. *Appointments to be notified and may be ex-officio.*—All appointments made under section 101 shall be notified in the Official Gazette and may be made by virtue of office.

103. *Powers and duties of officers.*—(1) A commissioner or a Collector appointed under section 101 shall exercise within the local limits of his jurisdiction all the powers and discharge all the duties conferred and imposed on him by or under this Regulation or any other law for the time being in force.

(2) An Additional Commissioner or an Additional Collector shall within the area for which he is appointed, exercise such powers and perform such duties respectively of a Commissioner or a Collector in such cases or matters or classes of cases or matters as the State Government may direct, and every Additional Commissioner or Additional Collector, while exercising any such power or performing any such duty, shall, for all purposes, be deemed to be the Commissioner or the Collector, as the case may be, of the area for which he is appointed.

104. *Additional Powers*—(1) The State Government may by notification in the Official Gazette confer—

(a) on a Collector, all or any of the powers of a Settlement Officer, and

(b) on a Commissioner, all or any of the powers of the Settlement Commissioner or the Director of Land Records.

(2) The powers conferred under sub-section (1) shall be exercised in such areas and in respect of such cases and matters or classes of cases and matters as the State Government may direct.

105. *Inherent Powers*.—In addition to the powers specified in sections. 103 and 104—

(a) a Commissioner shall have all the powers of a Collector and other revenue officers or courts, and

(b) a Collector shall have all the powers of revenue officers subordinate to him:

Section 107.—Omit “subject to any restrictions imposed by the Central Government”.

Section 114.—In clause (c), for ‘State Government’ substitute ‘Board of Revenue’.

Section 115.—For ‘State Government’ substitute ‘Board of Revenue’.

Section 116.—In clause (a), for ‘State Government’ substitute ‘Board of Revenue’.

Section 119.—(i) For ‘Central Government’ substitute ‘State Government’.

(ii) For ‘State Government’ substitute ‘Board of Revenue’.

The Ajmer Laws Regulation, 1877,

(Central Regulation III of 1877).

Section 1.—For “now under the administration of the State Government of Ajmer” substitute “of the Ajmer area”,

Second Schedule.—[i] Omit the entry relating to Regulation V of 1799.

(ii) In the entries relating to Regulation XIX of 1810, Regulation VI of 1825 and Regulation V of 1827, for “Chief Commissioner” substitute “Board of Revenue”.

The Ajmer Rural Boards Regulation, 1886.

(Central Regulation VI of 1886).

Section 1.—In sub-section [2], for “all the territories which are now under the administration of the State Government of Ajmer” substitute “all the territories which are now in the Ajmer area”

Section 20.—In sub-section [1], omit “with the previous approval of the Central Government”.

Section 21.—For “Central Government” substitute “State Government”.

The Ajmer Irrigation Regulation, 1887.

(Central Regulation VIII of 1887).

Section 1.—In sub-section [2], for “the territories now admi-

nistered by the State Government of Ajmer" substitute "the territories of the Ajmer area".

Section 4.—Omit "Subject to the control of the Central Government".

The Ajmer Government Wards Regulation, 1888.  
(Central Regulation I of 1888).

Throughout the Act, except in section 28, for "State Government" substitute "Board of Revenue".

Section 1.—In sub-section [2], for "the territories administered by the State Government of Ajmer" substitute "the territories of the Ajmer area".

The Ajmer and Merwara Private Forests Preservation  
Regulation, 1892.  
(Central Regulation I of 1892).

Section 1.—In sub-section [2], for 'Ajmer' substitute "the Ajmer area".

The Ajmer Village Sanitation Regulation, 1895.  
(Central Regulation IV of 1895).

Section 1.—In sub-section (2), for "the territories administered by the State Government of Ajmer" substitute "the territories of the Ajmer area".

The Ajmer Talukdars Loan Regulation, 1911.  
(Central Regulation II of 1911).

Section 1.—In sub-section (2) for "the territories for the time being administered by the State Government of Ajmer", substitute "the Ajmer area".

Section 20.—In sub-section (1), omit "subject to the control of the Central Government".

The Ajmer Alienation of land Regulation, 1914.  
(Central Regulation III of 1914).

Section 1.—(i) In sub-section (2), for "for the time being administered by the State Government of Ajmer" substitute "of the Ajmer area".

(ii) In sub-section (3), omit "with the previous sanction of the Central Government".

Section 2.—In sub-section (4), for "Ajmer" substitute "the Ajmer area".

Section 18.—In sub-section (1), for "Ajmer" substitute "the Ajmer area".

Section 22.—For "Court of Chief Commissioner" substitute "High Court of Rajasthan".

Section 24.—Omit "with the previous sanction of the Central Government".

Section 25.—In sub-section (1)- omit "subject to the control of the Central Government".

The Exoise Regulation, 1915.

(Central Regulation I of 1915).

Section 1.—In sub-section (2), for "the State of Ajmer and" substitute "the Ajmer area and".

Section 4.—Omit the proviso.

Section 8.—Omit the proviso.

Section 24.—In clause (ii) of sub-section (3), omit "with the previous sanction of the Central Government".

Section 62.—For sub-section (1), substitute the following:—

"(1) The State Government may make rules for the purpose of carrying out the provisions of this Regulation."

The Ajmer-Merwara Municipalities Regulation, 1925.

(Central Regulation VI of 1925).

Long title and preamble.—For "Ajmer-Merwara" substitute "the Ajmer area"

Section 6.—For "Central Government" substitute "State Government".

Section 28.—In the proviso, for "Central Government" substitute "State Government".

Section 76.—(i) Omit "any general or special order of the Central Government and to" appearing at the beginning of the section;

(ii) Omit the proviso appearing at the end of the section.

Section 77.—(i) In the proviso to sub-section (5), for "in the case of any tax to which the previous sanction of the Central Government is required under section 76, or in any other case" substitute 'in any case'.

(ii) For sub-section (6) substitute the following:—

"(6) When any proposals are communicated to the State Government under the proviso to sub-section (5) before confirmation, the State Government may sanction or refuse to sanction the same or may return them to the Committee for further consideration."

(iii) For sub-section (7), substitute the following:—

"(7) Where a resolution has after confirmation been forwarded to or any proposals have been sanctioned by the State Government, it shall notify the same in the official gazette, together with any rules which it may make under section 247 in respect of the tax."

Section 92.—For "Central Government" substitute "State Government."

The Ajmer Court Regulation, 1926.

(Central Regulation IX of 1926).

Long title and preamble.—For "Ajmer-Merwara" substitute "the Ajmer area".

Section 1 —For sub-section (2), substitute the following:—

"(2) it extends to the territories (in this regulation referred to as Ajmer) of the Ajmer area."

Section 2.—For clause (a), substitute the following:—

“(a) the High Court of the State of Rajasthan.”

section 3.—For section 3, substitute the following:—

“3. The High Court for the State of Rajasthan shall, for the purposes of all enactments for the time being in force, be deemed to be the highest civil court of appeal in Ajmer.”

Section 4.—Omit section 4.

Section 5.—Omit “with the previous sanction of the Central Government.”

Section 27.—Omit section 27.

Section 28.—Omit section 28.

The Ajmer-merwara Redemption of mortgages Regulation, 1928.

(Central Regulation II of 1928).

Long title and preamble.—For “the District of Ajmer-Merwara” substitute “the Ajmer Area”.

Section 1.—For sub-section (2), substitute the following:—

“(2) It extends to all the territories of the Ajmer area.”

Part IV.—Central Acts declared in force in or extended to the Ajmer area.

No special adaptations.

Part V.—State Acts extended to the Ajmer area under the Scheduled Districts Act, 1874 (Central Act XIV of 1874) or the Ajmer Merwara (Extension of Laws) Act, 1947 (Central Act LII of 1947 (Central Act of LII 1947) or the Part C States (Laws) Act, 1950 Central Act XXX of 1950).

#### A—BOMBAY ACTS.

The Bombay Children Act, 1924.

(Bombay Act XIII of 1924, as extended to the Ajmer area).

Section 1.—In sub-section (3), “for Gazette of India” substitute “official gazette.”

#### B—MADRAS ACTS.

The Madras Restrictions of Habitual Offenders Act, 1948.

(Madras Act VI of 1948, as extended to the Ajmer area).

Throughout the Act, for “Gazette of India” substitute “official gazette.”

#### C—UTTAR PRADESH ACTS.

The United Provinces Home Guards Act, 1947.

(U.P. Act I of 1947, as extended to the Ajmer area).

Section 2.—Omit clause (b).

The United Province Land Utilisation Act, 1947.

(U.P. Act V of 1947, as extended to the Ajmer area).

Section 2.—Omit clause (d).

### D—PUNJAB ACTS.

The Punjab General Clauses Act 1898,

(Punjab Act I of 1898, as extended to the Ajmer area).

Section 2.—In clause (15), for "Court of the Judicial Commissioner" substitute "the High Court of Rajasthan."

The Punjab Weights and Measures Act, 1941.

(Punjab Act XII of 1941, as extended to the Ajmer area).

Throughout the Act, for "Ajmer" substitute "the Ajmer area".

The Punjab Disturbed Areas Act, 1947.

(Punjab Act I of 1947, as extended to the Ajmer area).

Throughout the Act—

(i) powers of the State Government under the Act shall be deemed to be the powers of the State Government of Rajasthan;

(ii) for 'Ajmer' substitute 'Ajmer area'.

The East Punjab Agricultural Pests, Diseases and Noxious Weeds Act, 1949.

(East Punjab Act IV of 1949, as extended to the Ajmer area).

Section 11.—In sub-section (1), for 'Central Government' substitute 'State Government'.

The Punjab Security of the State Act, 1953.

(Punjab Act XII of 1953, as extended to the Ajmer area.)

Throughout the Act—

(i) functions and powers of the State Government shall be deemed to be functions and powers of the State Government of Rajasthan;

(ii) for 'Ajmer' substitute 'the Ajmer area'.

### E—BIHAR ACTS.

The Code of Criminal Procedure (Bihar Amendment Act, 1948).

(Bihar Act XXXI of 1948, as extended to the Ajmer area).

Throughout the Act, for 'Ajmer' substitute 'the Ajmer area'.

Part VI—Acts passed by the Ajmer Legislative Assembly.

The Ajmer Primary Education Act, 1952.

(Ajmer Act II of 1952).

Section 2.—Omit clause (a) of sub-section (1).

The Ajmer (Places of Public Entertainment) Prohibition of Smoking Act, 1953.

(Ajmer Act II of 1953).

Section 2.—omit clause (e) of sub-section (1).

The Ajmer Motor Vehicles Taxation Act, 1953.

(Ajmer Act V of 1953).

Section 2.—Omit clause (g) of sub-section (1).

The Ajmer Entertainments Tax Act, 1953.

(Ajmer Act X of 1953).

Section 2.—Omit Clause (j) of sub-section (1).

The Ajmer State Panchayat Act, 1954.

(Ajmer Act VII of 1954).

Section 2—Omit clause (r) of sub-section (1).

The Ajmer Juvenile Smoking Prohibition Act, 1954.

(Ajmer Act II of 1954).

Section 2—Omit clause (c) of sub-section (1).

The Ajmer Livestock Improvement Act, 1954.

(Ajmer Act XIII of 1954).

Section 2—Omit clause (h) of sub-section (1).

Section 22—In sub-section (6), for the words "State of Ajmer" substitute the words "State of Rajasthan".

The Ajmer Animal Preservation Act, 1954.

(Ajmer Act XIV of 1954).

Section 2—Omit clause [c] of sub-section [1].

The Ajmer Abolition of Intermediaries and Land Reforms Act, 1955.

[Ajmer Act III of 1955].

Section 2—Omit clause (xviii) of sub-section (1).

Section 66.—In sub-section [2], for "Chief Commissioner" substitute "Board of Revenue".

Section 67.—In sub-section [4], for "Chief Commissioner" substitute "Board of Revenue".

Section 81.—For "Chief Commissioner" substitute "Board of Revenue".

The Ajmer Sales Tax Act, 1955.

(Ajmer Act IV of 1955).

Section 2.—In sub-section [1]—

(i) for Explanation 3 to clause [c], substitute the following explanation:—

"Explanation 3.—The manager or any agent in the Ajmer area of a dealer who resides outside that area and carries on the business of selling goods in that area shall, in respect of such business, be deemed to be a dealer";

(ii) Omit clause [e].

(iii) Omit clause [j].

Section 5.—In sub-clause [ii] of clause [a] of sub-section [2], for "the State of Ajmer" substitute "the Ajmer area".

The Ajmer Armed Constabulary Act, 1955.

(Ajmer Act V of 1955).

Section 2.—Omit clause [g] of sub-section [1].

The Ajmer Bhoodan Yagna Act, 1955.

(Ajmer Act VI of 1955).

Section 2.—Omit clause [h] of sub-section (1).

The Ajmer Shops and Commercial Establishments Act, 1956.

(Ajmer Act IV of 1956).

Section 2.—Omit clause [w] of sub-section [1].

## SECOND SCHEDULE

BOMBAY LAWS (LAWS IN FORCE IN THE ABU AREA)

Laws in force in the Abu area.

Part I—Bombay Acts.

The Markets and Fairs Act, 1862.

(Bombay Act IV of 1862).

Section 5A.—Omit “for the State of Bombay”.

Section 8.—For section 8, substitute—

“Extent.—“8. This Act extends to the Abu area.”

The Gas Companies Act, 1863.

(Bombay Act V of 1863).

Section 1 —(1) For “In the Greater Bombay and in any other town or place” substitute “In any town or place in the Abu area”.

(2) Omit “Greater Bombay, or other”.

Section 3.—Omit “the municipal commissioners for the City of Bombay”.

Section 7.—Omit from “in the Greater Bombay” to “at Bombay” where they occur for the first time, and from ‘and, in any town’ to “under this Act”.

Section 27.—For ‘any other town or place within or subject to the Presidency of Bombay’ substitute “any town or place in the Abu area”,

The Bombay Ferries and Inland Vessels Act, 1868.

(Bombay Act II of 1868).

Section 2.—For “Presidency of Bombay” substitute “Abu area”.

Section 13.—Omit.

Section 15.—(1) Omit paragraph one and from paragraph two omit “In places not within the limits of the Greater Bombay”.

(2) For the marginal notes, substitute ‘Trial of offences’.

The Bombay Land Revenue Code, 1879.

(Bombay Act V of 1879).

Throughout the Act,—

- (i) references to a Taluqa shall, be construed as including references to a Tehsil;
- (ii) references to the Mamlatdar shall be construed as including as references to the Tehsildar for the time being of the Tehsil or such other officer as the State Government may direct.

Section 1.—(1) In sub-section (2), for “from the whole of” to ‘1874’ substitute ‘the Abu area’

(2) Omit sub-section [3].

Section 4.—In sub-section [2], for ‘State’ substitute “Abu area”.

Section 5.—Renumber the existing provision as sub-section (1) and insert the following new sub-section:—

“(2) The State Government may also appoint an Additional Commissioner who shall, within the area for which he is appointed; exercise such powers and perform such duties of a Commissioner in such cases or matters or classes of



cases or matters, as the State Government may direct, and an Additional Commissioner, while exercising any such power or performing any such duty, shall for all purposes be deemed to be the Commissioner of the area”.

Section 8.—Renumber the existing provision as sub-section (1) and insert the following new sub-section:—

“(2) The State Government may also appoint an Additional Collector, who shall, within the area for which he is appointed, exercise such powers and perform such duties of a Collector as the State Government may direct, and an Additional Collector, while exercising any such power or performing any such duty, shall, for all purposes be deemed to be the Collector of that area.

Section 95.—For ‘Presidency’ substitute “Abu area”.

Section 117KK.—For the first “Bombay Revenue Tribunal” substitute Abu area Revenue Tribunal”.

Section 117L.—(1) For ‘each House of the State Legislature’ where they occur at both places substitute ‘The State Legislature’.

(2) For ‘each such House’ substitute ‘the Legislature’.

(3) In the marginal note, for ‘of each House’ substitute ‘thereof’.

Section 118.—For ‘territory of the State’ substitute “Abu area”.

Section 149.—Omit the third paragraph.

Schedule H.—For ‘Government of Bombay’ substitute ‘Government of Rajasthan’.

The Bombay Irrigation Act, 1879.

(Bombay Act VII of 1879).

Section 1.—For from ‘whole of’ to ‘City of Bombay’ substitute ‘Abu area’.

The Bombay Public Authorities Seals Act, 1883.

[Bombay Act V of 1883].

Section 3.—Omit clause [2] and in clause [3] omit ‘anyother’.

The Bombay Prevention of Gambling Act, 1887.

[Bombay Act IV of 1887].

Section 1.—(1) For the words “the City of Bombay to the Island of Salsette to all railways and railway station houses without the said City and Island” substitute “all railways and railway station houses in the Abu area”.

(2) For “Presidency of Bombay” substitute “Abu area.”

Section 6.—(1) Omit clause (i) and in clause (ii) omit “elsewhere”.

(2) In the proviso, omit “the Commissioner of Police”.

Section 11.—Omit “in the Greater Bombay to the Commissioner of police and elsewhere”.

The Bombay village Sanitation Act, 1889:

(Bombay Act I of 1889)

Section 2.—For from "whole of" to "Act, 1874" substitute "Abu area".

Section 7.—In sub-section (1), for "Presidency" substitute "Abu area".

The Bombay Municipal Servants Act, 1890.

(Bombay Act V of 1890).

Section 1.—(1) Omit sub-section (2).

(2) In sub-section (3), for "Bombay Presidency" substitute "Abu-area".

(3) In the marginal note, omit "Commencement and".

Section 2.—For sub-section (2), substitute—

"(2) *Act to be read with Municipal Act in force*:—This Act shall in so far as it affects any part of the Abu area be read with the Bombay District Municipal Act, 1901".

Section 3.—(1) In sub-section (1),—

(a) Omit "The Corporation or";

(b) Omit from "in Greater Bombay" to "and elsewhere";

(c) Omit from "to the Commissioner" to "deputed, or";

(d) Omit from "such Commissioner" to "deputed, or";

(e) In the proviso, omit from "in the City" to "and elsewhere".

(2) In sub-section (2), omit of the "Corporation or";

Section 4.—(1) In sub-section (1), Omit "Commissioner or".

(2) In sub-section (2), omit "Corporation, or".

Section 5.—In sub-section (1),—

(i) omit the first "of the Corporation or";

(ii) omit the second "the Corporation or".

Section 6.—(1) Omit "the Corporation or".

(2) Omit from "in Greater Bombay" to "and elsewhere".

Schedule.—Omit "the Corporation or".

The Bombay District Vaccination Act, 1892.

(Bombay Act I of 1892).

Section 2.—(1) In sub-section (1), for "whole of the Presidency of Bombay" substitute "Abu area".

(2) In sub-section (2), for "whole of the Presidency of Bombay except Greater Bombay" substitute "Abu area".

Section 4.—In clause (i), omit "for the Presidency of Bombay".

Section 17.—Omit "or in Greater Bombay".

The Bombay District Municipal Act, 1901.

(Bombay Act III of 1901).

Section 1.—In sub-section (2), for "whole of the Presidency of Bombay, except Greater Bombay" substitute "Abu area".

Section 3.—In sub-section (4), for "Joint Judge, Assistant Judge, Judge of a Court of Small Causes, Subordinate Judge, Joint Subordinate Judge" substitute "Judge of a Court of Small Causes, any Civil Judge".

Section 11—In sub-section (1)—

(a) in the Explanation (1), for “State of Bombay” substitute “Abu area”;

(b) in Explanation (2), for “State of Bombay” substitute “Abu area”.

Section 12—For “Bombay” substitute “Rajasthan”.

Section 22—In sub-section (2), for “not below the grade of an Assistant Judge” substitute “not below the rank of a senior Civil Judge”.

Section 53.—(1) Omit “at Bombay”.

(2) For “Presidency of Bombay” substitute “State of Rajasthan”.

Section 56.—In clause (kk-IV), for “the Local Self-Government Institute, Bombay” substitute “a Local Self-Government Institute approved by the State Government”.

Section 83.—In sub-section (2A),—

(i) omit clause (f);

(ii) in the proviso, for “Government officer or Registrar” substitute “or Government officer”.

Section 84A.—(1) Omit “or Registrar of the Court of Small Causes of Bombay”.

(2) Omit “or Registrar”.

Section 177A.—In the Explanation appearing below sub-section (2), for “State of Bombay” substitute “Abu area”.

The Bombay General Clauses Act, 1904.

(Bombay Act I of 1904).

Section 3.—(i) After sub-section (1), insert the following:—

“(1A) “Abu area” means the area in the State of Rajasthan which, immediately before the 1st day of November, 1956, was within the State of Bombay as then constituted”

(ii) In sub-section (37), omit “in a Part A State or a Part C State”.

The Bombay Court of Wards Act, 1905.

(Bombay Act I of 1905).

Throughout the Act, except in sections 46 and 47, for “State Government” substitute “Board of Revenue”.

Section 46.—In sub-section (2), for “State Government” substitute “Board of Revenue”.

Section 47.—After “the State Government” insert “or the Board of Revenue”.

The Bombay Co-operative Societies Act, 1925.

(Bombay Act VII of 1925).

Section 2.—For “whole of the Presidency of Bombay” substitute “Abu area”.

Section 3.—In clause (i), for “Bombay Co-operative Tribunal” substitute “Abu area Co-operative Tribunal”.

Section 63.—Omit “a Presidency Magistrate or”.

Section 63 A.—(i) In sub-section (1), for “Bombay Co-operative Tribunal” substitute “Abu area Co-operative Tribunal”.

(ii) In sub-section (2), omit “possessing such qualifications as may be prescribed”.

Section 69.—(1) For “Bombay Presidency” substitute “Abu area”.

(2) For “the State” substitute “the area”.

(3) In the marginal note for “the Presidency” substitute “the area to which this Act extends”.

Section 71.—In sub-section (5)—

(1) for “each of the Houses of the State Legislature” substitute “the Rajasthan Legislative Assembly”.

(2) for “in which each of the Houses concurs” substitute “passed by the said Assembly”.

Section 73.—For “Bombay Presidency” substitute “per-Reorganisation State of Bombay”.

The Bombay Municipal Boroughs Act, 1925.

(Bombay Act XVIII of 1925).

Section 1.—In sub-section (2), for “whole of Bombay Presidency” substitute “Abu area”.

Section 10.—In the Explanation—

(1) in clause (1), for the first “State of Bombay” substitute “Abu area”.

(2) In clause (2), for “State of Bombay” substitute “Abu area”.

Section 11.—In sub-section (1), for “Bombay Legislative Assembly” substitute “Rajasthan Legislative Assembly”.

Section 28.—In clause (c) of sub-section (1), for “Presidency” substitute “State”.

Section 67.—In sub-section (1)—

(1) Omit “at Bombay”;

(2) for “Presidency of Bombay” substitute “State of Rajasthan”.

Section 105.—In sub-section (2)—

(1) Omit clause (f);

(2) in the proviso, for “Government Officer or Registrar” substitute “or Government Officer”.

Section 107.—Omit—

(1) “or Registrar of the Court of Small Causes of Bombay”;

(2) “or Registrar”.

Section 113A.—For “State of Bombay” substitute “State of Rajasthan”.

Section 217.—In the Explanation in sub-section (2), for “Bombay Presidency” substitute “Rajasthan State”.

Section 221.—(1) For “each House of the State Legislature” substitute “the Rajasthan Legislative Assembly”.

(2) For "in which each of the said Houses concurs" substitute passed by the said Assembly".

(3) In the marginal note, omit "each House of".

Schedule I.—Omit all entries below heading "Municipal Boroughs".

The Bombay Revenue Tribunal Act, 1939.

(Bombay Act XII of 1939).

Section 2 —For sub-section (4), substitute the following:—

"(4) "Tribunal" means the Revenue Tribunal referred to in section 3".

Section 3.—For this section, substitute the following:—

"3. The Board of Revenue shall as from the 1st day of November, 1956, be deemed to be the Revenue Tribunal in relation to the Abu area".

Section 13.—To this section, and the following sub-section, :—

"(3) Notwithstanding anything contained in the regulations made before the 1st day of November, 1956, the provisions of section 10 to 13 of the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956) shall apply in relation to the cases under this Act as they apply in relation to cases under the said Act".

The Bombay Sales of Motor Spirit Taxation Act, 1946.

(Bombay Act VI of 1946).

Section 1.—For "whole of the State of Bombay" substitute "Abu area".

Section 2.—In clause (2), for "State of Bombay" substitute "Abu area".

Section 5.—For "State of Bombay" substitute "State of Rajasthan".

Section 19.—Omit "a" Presidency Magistrate or".

Section 22.—In sub-section (2), for "State of Bombay" substitute 'State of Rajasthan'.

The Bombay Electricity (Special Powers) Act, 1946.

(Bombay Act XX of 1946).

Section 1.—In sub-section (2), for 'whole of the State of Bombay' substitute 'Abu area'.

The Bombay Agricultural Debtors Relief Act, 1947.

(Bombay Act XXVIII of 1947).

Section 2.—In sub-section (3), for and includes any court to which an application may be referred to for disposal under section 13 A' substitute 'and, if there is no court of the Civil Judge, Junior Division, functioning for the time being for the Abu area, the lowest Civil Court having jurisdiction over that area'.

Section 13A.—Omit this section.

The Bombay Primary Education Act, 1947.

(Bombay Act LXI of 1947).

Section 1.—In sub-section (2), for 'the whole of the State of Bombay except Greater Bombay' substitute 'the Abu area'.

Section 2 —(1) In clause (8), omit 'for the State of Bombay'.

(2) To clause [9], add 'and in the case of the Abu area means that area'.

Section 4.—In the Explanation below sub-section [7], for 'the State of Bombay' substitute 'the Abu area'.

After section 58, insert the following section:—

'58A. *A Provision as respects the period from the 1st day of November, 1956.*—As from the 1st day of November, 1956, the powers and duties of the said board shall be exercised and discharged by such body or authority as the State Government may specify in this behalf and until such body or authority is so specified, by the State Government, and the provisions of this Act shall, as from the said date be deemed to have been amended to give full effect to the provisions of this section'.

The Bombay Tenancy and Agricultural Lands Act, 1948.

[Bombay Act LXVII of 1948].

Section 67.—For sub-section (2), substitute the following:—

"(2) The Tribunal shall consist of such number of persons as the State Government thinks fit. But the member, or at least one of the members, of the Tribunal shall be a person who has held or is holding a judicial office or is or has been a legal practitioner entitled by law to practise'.

The Bombay Sugarcane Cess Act, 1948.

[Bombay Act LXXXII of 1948].

Section 1.—In sub-section [2], for 'whole of the State of Bombay' substitute 'Abu area'.

Section 11.—(1) For 'State Sugarcane Cess Fund' substitute 'Abu area Sugarcane Cess Fund'.

[2] In sub-section (2), for 'State of Bombay' substitute 'Abu area'.

Section 14.—In clause [g] of sub-section [2], for 'Provincial Sugarcane Cess Fund' substitute 'Abu area Sugarcane Cess Fund'.

The Bombay Public Trusts Act, 1950.

(Bombay Act XXIX of 1950).

Section 1.—In sub-section [2], for 'the whole of the State of Bombay' substitute 'the Abu area'.

Section 2.—In clause [4], omit 'in the Greater Bombay, the City Civil Court and elsewhere'.

Section 3.—For 'throughout the State,' substitute 'throughout the Abu area'.

Section 4.—Omit this section.

Section 5.—Omit sub-section (2)

Section 13.—In clause (7)—

- (1) in sub-clause (ii) omit "in the City of Bombay, the Collector of Bombay and elsewhere".
- (2) in sub-clause (iii) omit from "or the Bombay Municipal Boroughs" to "Act, 1949".

After section 21, insert the following section:—

"21A. *Registration where trust property and office of administration not in the State after reorganisation of States.*—

- (1) If a public trust is duly registered in accordance with the foregoing provisions or is deemed to be registered under section 28, before the 1st day of November, 1956, in a region or sub-region, which by reason of the States Reorganisation Act, 1956, on that day forms part of or is transferred to another State or Union territory but the trust property or substantial portion thereof is situate in the Abu area of the State of Rajasthan, the trustees of such trust shall, within a period of six months from that date, apply for registration of the trust in the region or sub-region within limits of which such property is situate and the Deputy or assistant Charity Commissioner of that region or sub-region shall thereupon after such inquiry (if any) as he thinks fit, register such trust without any further charge or fee therefor.
- (2) If a public trust is registered in accordance with the provisions of this Act or is deemed to be registered under section 28, before the 1st day of November, 1956 in any region or sub-region forming part of the State of Rajasthan, and by reason of the States Reorganisation Act, 1956, the area in which the trust property or substantial portion of it is situate, is on that date transferred to or forms part of another State or Union territory, then upon it being proved by the trustee of such trust in the manner, if any, prescribed within six months of that date that the trust is duly registered in the State or Union territory in which the trust property or substantial portion thereof situate, the registration in the Abu area of the State of Rajasthan shall be deemed to be cancelled.
- (3) For the avoidance of doubt, it is hereby declared that nothing in the foregoing provisions of this Act shall be taken to invalidate any registration of a public trust merely on the ground that on account of the reorganisation of the States under the States Reorganisation Act, 1956, the office of the administration of the trust and the trust property or a substantial portion of it are not both situated within the Abu area of the State of Rajasthan."

Section 28A—(1) In clause (ii), omit "in the City of Bombay to the Collector of Bombay and elsewhere".

(2) In clause (iii), omit from "or the Bombay Municipal Boroughs" to "Act, 1949".

The Bombay Primary Education Act, 1947.

(Bombay Act LXI of 1947).

Section 1.—In subsection (2), for 'the whole of the State of Bombay except Greater Bombay' substitute 'the Abu area'.

Section 2 —(1) In clause (8), omit 'for the State of Bombay'.

(2) To clause [9], add 'and in the case of the Abu area means that area'.

Section 4.—In the Explanation below sub-section [7], for 'the State of Bombay' substitute 'the Abu area'.

After section 58, insert the following section:—

'58A. *A Provision as respects the period from the 1st day of November, 1956.*—As from the 1st day of November, 1956, the powers and duties of the said board shall be exercised and discharged by such body or authority as the State Government may specify in this behalf and until such body or authority is so specified, by the State Government, and the provisions of this Act shall, as from the said date be deemed to have been amended to give full effect to the provisions of this section'.

The Bombay Tenancy and Agricultural Lands Act, 1948.

[Bombay Act LXVII of 1948].

Section 67.—For subsection (2), substitute the following:—

"(2) The Tribunal shall consist of such number of persons as the State Government thinks fit. But the member, or at least one of the members, of the Tribunal shall be a person who has held or is holding a judicial office or is or has been a legal practitioner entitled by law to practise'.

The Bombay Sugarcane Cess Act, 1948.

[Bombay Act LXXXII of 1948].

Section 1.—In sub-section [2], for 'whole of the State of Bombay' substitute 'Abu area'.

Section 11.—(1) For 'State Sugarcane Cess Fund' substitute 'Abu area Sugarcane Cess Fund'.

[2] In sub-section (2), for 'State of Bombay' substitute 'Abu area'.

Section 14.—In clause [g] of sub-section [2], for 'Provincial Sugarcane Cess Fund' substitute 'Abu area Sugarcane Cess Fund'.

The Bombay Public Trusts Act, 1950.

(Bombay Act XXIX of 1950).

Section 1.—In sub-section [2], for 'the whole of the State of Bombay' substitute 'the Abu area'.

Section 2 —In clause [4], omit 'in the Greater Bombay, the City Civil Court and elsewhere'.

Section 3.—For 'throughout the State, substitute 'throughout the Abu area'.

Section 4.—Omit this section.

Section 5.—Omit sub-section (2)

Section 13.—In clause (7)—



- (1) in sub-clause (ii) omit "in the City of Bombay, the Collector of Bombay and elsewhere".
- (2) in sub-clause (iii) omit from "or the Bombay Municipal Boroughs" to "Act, 1949".

After section 21, insert the following section:—

"21A. *Registration where trust property and office of administration not in the State after reorganisation of States.*—

- (1) If a public trust is duly registered in accordance with the foregoing provisions or is deemed to be registered under section 28, before the 1st day of November, 1956, in a region or sub-region, which by reason of the States Reorganisation Act, 1956, on that day forms part of or is transferred to another State or Union territory but the trust property or substantial portion thereof is situate in the Abu area of the State of Rajasthan, the trustee of such trust shall, within a period of six months from that date, apply for registration of the trust in the region or sub-region within limits of which such property is situate and the Deputy or assistant Charity Commissioner of that region or sub-region shall thereupon after such inquiry (if any) as he thinks fit, register such trust without any further charge or fee therefor.
- (2) If a public trust is registered in accordance with the provisions of this Act or is deemed to be registered under section 28, before the 1st day of November, 1956 in any region or sub-region forming part of the State of Rajasthan, and by reason of the States Reorganisation Act, 1956, the area in which the trust property or substantial portion of it is situate, is on that date transferred to or forms part of another State or Union territory, then upon it being proved by the trustee of such trust in the manner, if any, prescribed within six months of that date that the trust is duly registered in the State or Union territory in which the trust property or substantial portion thereof situate, the registration in the Abu area of the State of Rajasthan shall be deemed to be cancelled
- (3) For the avoidance of doubt, it is hereby declared that nothing in the foregoing provisions of this Act shall be taken to invalidate any registration of a public trust merely on the ground that on account of the reorganisation of the States under the States Reorganisation Act, 1956, the office of the administration of the trust and the trust property or a substantial portion of it are not both situated within the Abu area of the State of Rajasthan."

Section 28A—(1) In clause (ii), omit "in the City of Bombay to the Collector of Bombay and elsewhere".

(2) In clause (iii), omit from "or the Bombay Municipal Boroughs" to "Act, 1949".

Section 35.—In sub-section (1), for “a Part A State or a Part C State” substitute “any part of India”.

After section 43, insert the following section:—

“43A. *Secretary, Finance Department to be Treasurer of Charitable Endowments after reorganisation of States:—*With effect from the 1st day of November, 1956, the Secretary to the Government of Rajasthan in the Finance Department shall be deemed to be the Treasurer of Charitable Endowments for the Abu area of the State of Rajasthan, appointed under the provisions of the Charitable Endowments Act, 1890 and the property vesting immediately before that date, in the Charity Commissioner for the former State of Bombay, in relation to charitable endowments the objects of which do not extend beyond the limits of the aforesaid Abu area, shall vest in the said Secretary as the Treasurer of Charitable Endowments”.

Section 51.—For “Bombay Revenue Tribunal”, except in the expression “Bombay Revenue Tribunal Act”, substitute “Abu area Revenue Tribunal”.

Section 56B.—In sub-section (3), for “State of Bombay” substitute “Abu area”.

Section 69.—In clause (i), after “43” add “or section 43A”.

Section 71.—For “Bombay Revenue Tribunal” substitute “Abu area Revenue Tribunal”.

Section 79CC.—In sub-section (3), for “Bombay Revenue Tribunal” substitute “Abu area Revenue Tribunal”.

Section 82.—Omit “a Presidency Magistrate or”.

Schedule B.—In the entry relating to section 71 (1), for “Bombay Revenue Tribunal” substitute “Abu area Revenue Tribunal”.

### The Bombay Sales Tax Act, 1953.

(Bombay Act III of 1953).

Section 1.—In sub-section (2), for “whole of the State of Bombay” substitute “Abu area”.

Section 2.—(1) In clause (6), for “State of Bombay” substitute “Abu area”.

(2) In clause (13),—

(a) for “within the State of Bombay” substitute “within the Abu area”.

(b) In the Explanation—

(i) for “state of Bombay” substitute “State of Rajasthan”;

(ii) After “in another state” add “or Union territory”.

Section 4.—In sub-section (2), omit “Possessing such qualifications as may be prescribed”.

Section 5.—After sub-section (5), add the following:—

“Explanation:—For the purpose of sub-section (2) in determining the limits of the turnover of sales or purchases of a dealer, clause (i) of sub-section (1) shall, with effect from

the 1st day of November, 1956, be read and construed as follows, namely:—

In the case of a dealer who brings any goods into the Abu area of the State of Rajasthan from any place outside the said State or to whom any goods are despatched in the aforesaid area from any place outside the said State, whether by land, water or air, Rs. 10,000 provided that the aggregate value of the goods so brought or despatched during the period of one year is not less than Rs. 2,500."

Section 8.—For "State of Bombay" substitute "State of Rajasthan".

Section 9.—In the Explanation, for "State of Bombay" where they occur for the first and third times, substitute "State of Rajasthan" and, where they occur for the second time, substitute "Abu area".

Section 10.—For "State of Bombay" substitute "State of Rajasthan".

Section 10A.—In the Explanation, for "State of Bombay" where they occur for the first and third times, substitute "State of Rajasthan" and, where they occur for the second time, substitute "Abu area".

Section 10C.—For the first "State of Bombay" substitute "State of Rajasthan" and for the second "State of Bombay", substitute "Abu area".

Section 12.—For "State of Bombay", where they occur for the first and third times, substitute "Abu area" and where they occur for the second and fourth times, substitute "State of Rajasthan".

Section 12A.—For "State of Bombay", where they occur for the third, sixth, eighth and tenth times, substitute "State of Rajasthan" and, elsewhere substitute "Abu area".

After section 12A, insert the following section:—

"12B. *Continuation of registration, licence or authorisation after reorganisation of States*:—Every dealer who was carrying on business in the Abu area and whose registration, licence or authorisation under this Act was in force, immediately before the 1st day of November, 1956, shall notwithstanding the reorganisation of State under the States Reorganisation Act, 1956, be deemed to continue to be duly registered, licensed or authorized, as the case may be in the said area",

After section 15, insert the following section:—

"15A. *Powers of Collector of assessment or reassessment of taxes due prior to 1st November 1956*:—There the amount of the tax due from a dealer for any period prior to the 1st day of November, 1956 has not been assessed or any turnover has escaped assessment, then, notwithstanding the reorganisation of States under the States Reorganisation Act, 1956, it shall be competent to the Collector to

assess or reassess the amount of tax due in accordance with the relevant provisions of this Act, in respect of the sales or purchases made by such dealer within the Abu area, during such period".

Section 45—In sub section (4), for "both the Houses of the State Legislature" substitute "the Rajasthan Legislative Assembly".

Section 45A.—Omit the section.

Section 46—(1) For "State of Bombay" substitute "State of Rajasthan".

(2) In the Explanation, after "State" insert "or Union territory".

Schedule A—In entry 41, omit "for the State of Bombay" and "or approved by Bombay Municipal Schools Committee".

The Bombay Government Premises (Eviction) Act, 1955.

(Bombay Act II of 1955).

Section 2.—Before section 2 insert—

1A. *Application*—It applies to Government premises situate in the Abu area.

Section 3.—In clause (b), for "Government of Bombay" substitute "State Government".

The Bombay Aerial Rope Ways Act, 1955.

(Bombay Act III of 1956).

Section 1.—In sub-section (2), for "the whole of the State of Bombay" substitute "the Abu area".

Section 9.—Omit from "in Greater Bombay" to elsewhere".

Section 29.—Omit "a Judge of the City Civil Court in Greater Bombay and elsewhere by".

The Bombay (Supplementary) Appropriation Act, 1956.

(Bombay Act IV of 1956).

This Act shall stand unmodified.

The Bombay Appropriation Act, 1956.

(Bombay Act XIV of 1956).

This Act shall stand unmodified.

The Bombay Appropriation (Excess Expenditure) Act, 1956.

(Bombay Act XXV of 1956).

This Act shall stand unmodified.

The Bombay Hindu Places of Public Worship (Entry Authorisation) Act, 1953.

(Bombay Act XXXI of 1956).

Section 1.—In sub-section (2), for "the whole of the State of Bombay" substitute "the Abu area."

The Bombay Molasses (Control) Act, 1956.

(Bombay Act XXXVIII of 1956).

Section 1.—In sub-section (2), for "the whole of the State of Bombay" substitute "the Abu area".

Section 9.—In clause (b), omit "a Presidency Magistrate or".

PART II—Central Acts.

The Bombay Civil Courts Act, 1869.

(Central Act XIV of 1869).

Section 1.—For “only to” to “said State” substitute “to the Abu area”.

Section 5.—To section 5, add the following:—

“For the purposes of this Act, the District Judge, for the time being exercising jurisdiction over the Sirohi shall be deemed to be the District Judge for the Abu area”.

The Bombay Revenue Jurisdiction Act, 1876.

(Central Act X of 1876).

Section 1.—For “State of Bombay” substitute “Abu area”.

Section 12.—(1) Omit “of judicature at Bombay”.

(2) For “said High Court” substitute “High Court.”

THIRD SCHEDULE

*Madhya Bharat Laws.*

The Madhya Bharat Civil Courts Act, Samvat 2006.

(Madhya Bharat Act 43 of 1949 (Samvat 2006)

Section 1.—In sub-section (2), omit “of the United State of Gwalior, Indore and Malwa (Madhya Bharat)” where they occur for the second time.

Section 2.—(i) Omit clause (i);

(ii) For clause (iv), substitute the following:—

“(iv) “High Court” means the High Court of Rajasthan”.

Section 8.—To this section, add the following paragraph:—

“For the purposes of this Act, the District Judge for the time being exercising jurisdiction over the Jhalawar district shall be deemed to be the District Judge for the Sunel area”.

Section 17.—To this section, add the following paragraph:—

“For the purposes of this Act the Civil Judge for the time being exercising jurisdiction over the Jhalawar district shall, until otherwise directed by the Government, be deemed to be the Civil Judge of the I Class having jurisdiction over the Sunel area”.

Section 21.—For sub-section (3), substitute the following:—

“(3) (a) The territorial Jurisdiction of the Munsifs shall be such as may be prescribed by the Government from time to time.

(b) The pecuniary jurisdiction of a Munsif extends to all original suits and proceedings of civil nature wherein the subject matter does not exceed in amount or value of two thousand rupees.

(c) For the purposes of this Act, the Munsif any for the time being exercising jurisdiction over the Jhalawar district shall, until otherwise directed by the Government, be deemed to be the Munsif having jurisdiction over the Sunel area”.

Section 25.—For section 25, substitute the following:—

"25. *Power to invest Civil Judges and Munsifs with Small Cause powers*:—(1) The High Court may invest, within such local limits as it may from time to time appoint, any Civil Judge or Munsif with the jurisdiction of a Court of small Causes for the hearing of suits cognizable by such courts up to such amount as it may deem proper, not exceeding, in the case of a Civil Judge, five hundred rupees, and, in the case of a Munsif, one hundred rupees.

(2) Except as may be otherwise directed by the High Court, the Civil Judge or Munsif for the time being exercising jurisdiction over the Sunel area shall be deemed to have been invested under sub-section (1) with the jurisdiction of a Court of Small Causes for the hearing of suits cognizable by such Courts to the same extent if any to which he has, for the time being, been invested with such jurisdiction in respect of any area outside the Sunel area."

The Madhya Bharat Court of Wards Act, Samvat 2007.

(Madhya Bharat Act, 59 of 1950 (Samvat 2007)).

Throughout the Act, for the expression 'Deputy Commissioner, Jagirs' or 'Deputy Commissioner', Substitute 'Collector', unless the expression is hereinafter directed to be omitted or otherwise modified.

Section 4.—For this section, substitute the following:—

"4. The Board of Revenue shall constitute the Court of Wards."

Section 5.—Omit this section.

Section 6.—Omit "subject to the provisions of section 5".

Section 8.—For "Deputy Commissioner of the division" substitute "Collector of the district."

Section 14.—Omit this section.

Section 40.—For "Deputy Commissioner of the Division" substitute "Collector of the District".

Section 45.—Omit the first three provisos.

Section 66.—Omit sub-section (3).

The Madhya Bharat Land Revenue and Tenancy Act, Samvat 2007.

(Madhya Bharat Act 66 of 1950 (Samvat 2007) )

Throughout the Act, for "United State", substitute "Sunel area".

Section 4.—Omit clause (iv).

Section 8.—For sub section (1), substitute the following;—

"(1) The Board of Revenue constituted under the Rajasthan Land Revenue Act 1956 (Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956) shall be the Board of Revenue for the Sunel area."

Sections 18 to 28 —Omit these sections.

The Madhya Bharat General Clauses Act, Samvat 2007.

(Madhya Bharat Act 84 of 1950 (Samvat 2007). )

Throughout the Act, references to any Legislature shall, except as otherwise directed hereinafter, stand unmodified.

Section 3.—(i) For section (5), substitute the following:—

“(5) “Board of Revenue” means—

(i) as respects the period before the 1st day of November, 1956, the Board of Revenue for Madhya Bharat, and

(ii) as respects any later period, the Board of Revenue constituted under the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the State of Rajasthan as constituted immediately before the 1st day of November, 1956).”

(ii) For sub-section (16), substitute the following:—

“(16) “Gazette” shall mean—

(i) as respects any period before the 1st day of November, 1956, the official or Government Gazette for Madhya Bharat, and

(ii) as respects any later period, the official Gazette of the State Government of Rajasthan.”

(iii) After sub-section (37), insert the following:—

“(37A) “Sunel area” means the area in the State of Rajasthan which immediately before the 1st day of November, 1956 was within the State of Madhya Bharat as then constituted.”

#### FOURTH SCHEDULE

##### Rajasthan Laws

Part I—Laws of the Rajasthan State Legislature.

The Rajasthan Appeals and Petitions (Discontinuance)

Ordinance, 1949.

(Rajasthan Ordinance XL of 1949).

Section 4.—In clause (b) of sub-section (1) and in sub-section (2), for “Rajpramukh” substitute “Governor”.

The Rajasthan Civil Courts Ordinance, 1950.

(Rajasthan Ordinance VII of 1950).

Section 9.—In sub-section (1), for “Rajpramukh” substitute “Governor”.

Section 13.—For “Rajpramukh” substitute “Governor”.

The Rajasthan Town Municipalities Act 1951.

(Rajasthan Act XIII of 1951).

Section 59.—In clause (e) of the proviso, for “Rajasthan Police Force” substitute “police force of the State of Rajasthan as constituted by the States Reorganisation Act, 1956”.

The Rajasthan Co-operative Societies Act, 1953.

(Rajasthan Act IV of 1953).

Section 83.—After sub-section (4), add the following sub-section:—

“(5) The provisions of this section do not apply to a co-operative society registered within the Abu area, the Ajmer area or the Sunel area”.

The Rajasthan General Clauses Act, 1955.

(Rajasthan Act 8 of 1955).

Section 32.—(i) After clause (1), insert the following:—

"(1A) "Abu area" means the area in the State of Rajasthan which, immediately before the 1st day of November, 1956, was within the State of Bombay as then constituted".

(ii) After clause (3) insert the following:—

"(3A) "Ajmer area" means the area in the state of Rajasthan which, immediately before the 1st day of November, 1956, was within the State of Ajmer as then constituted".

(iii) After clause (34); insert the following:—

"(34A) "Governor" means, as respects the period on or after the 1st day of November, 1956, the Governor of Rajasthan;"

(iv) Omit clause (45);

(v) For clause (65), substitute the following:—

"(65) "Rajpramukh" shall, as respects any period before the 1st day of November, 1956, mean the person who is for the time being the Rajpramukh or Rajasthan;"

(vi) For clause (75), substitute the following:—

"(75) "State Government" shall mean, in relation to anything done or to be done after the commencement of the constitution—

(a) as respects any period before the 1st day of November, 1956, the Rajpramukh, and

(b) as respects any later period, the Governor".

(vii) After clause (78), insert the following:—

"(78A) "Sunel area" means the area in the State of Rajasthan, which immediately before the 1st day of November, 1956, was within the State of Madhya Bharat as then constituted".

(viii) For clause (81), substitute the following:—

"(81) "Uprajpramukh" shall, as respects any period before the 1st day of November, 1956, mean the person who is for the time being, the Uprajpramukh of Rajasthan".

The Rajasthan Land Revenue Act, 1956.

(Rajasthan Act 1 of 1956).

Section 5.—For "Rajpramukh" substitute "Governor".

Part II—*Laws of the Covenanted State of Rajasthan.*

*University of Rajputana Acts of the Covenanted States.*

Section 5. For "Ajmer-Merwara" substitute "the Ajmer area",

Section 8B.—Omit this section.

Section 10.—(i) In sub-section (1), for "Rajpramukh" substitute "Governor".

(ii) In sub-section (2), omit "in the absence of the Patron".

By Order of the Governor,  
PRABHUDAYAL LOIWAL,  
Secretary to the Government.



*Notifications under*

# STATE REORGANISATION ACT, 1956.

*Published in Raj. Raj-patra Dated October 27, 1956 part I (b) at page 67*

## FINANCE DEPARTMENT (B) NOTIFICATION

*Jaipur, October 27, 1956*

No. F. 4 (13) F. (B)/56 — The following order of His Highness the Rajpramukh is hereby published for general information.

G. S. PUROHIT,  
*Secretary to Government.*

In exercise of the powers conferred on me by section 70 of the State Reorganisation Act, 1956 (Central Act 37 1956), I, Maharaja Sawai Man Singh of Jaipur, Rajpramukh of Rajasthan, do hereby authorise that from and out of the Consolidated Fund of the new State of Rajasthan sums not exceeding those specified in column 3 of the schedule hereto appended amounting in the aggregate to the sum of Rs. 54,67,95,000/—(Rupees Fifty Four Crores, Sixty Seven Lakhs and Ninety Five Thousand) only shall be paid towards defraying the several charges which will come in course of payment during the period of five months ending on the 31st day of March, 1957, in respect of the services specified in column 2 of the said Schedule and do hereby further order that the sums authorised to be paid as aforesaid shall be appropriated for the services and purposes of the new State of Rajasthan as expressed in the said Schedule.

The Schedule referred to above.

### THE SCHEDULE (In thousands of Rupees).

Grant Number.	Service and Purpose.	Amount Authorised		
		Charged.	Total.	
1	2	3		
	Consolidated Fund.			
	A—Expenditure on Revenue Account.			
I	7—Land Revenue ....	2	1,42,61	1,42,63
II	8—State Excise Duties ....	...	20,81	20,91
III	9—Stamps . ....	...	1,75	1,75
IV	10—Forest . ....	...	6,20	26,20
V	11—Registration. ....	...	83	83
VI	12—Taxes on Vehicles . ....	...	2,16	2,16
VII	13—Other Taxes and Duties	21	15,64	15,85
VIII	XVII—Irrigation, Navigation, Embankment, and.			

# Notifications under State Reorganisation Act, 1956

	Drainage Works [Commercial] Working Expenses. ....	12,21	12,21
	17--Interest on Irrigation Works [Commercial] ....	9,46	9,46
	18--Other Revenue Expenditure financed from ordinary revenues ....	22,54	22,54
	18--Charges on Irrigation [Combined Establishment and Tools and Plant] ...	6,98	6,98
	19--Construction of Irrigation, Navigation, Embankment and Drainage Works. ....	4	4
	22--Interest on Debt and other Obligations [Net] ...	34,07	34,07
IX	25--General Administration	2,18	86,53
X	27--Administration of Justice. ....	3,56	14,62
XI	28--Jails and Convict Settlements ....	12,11	12,11
XII	29--Police ....	1,32,54	1,32,54
XIII	35--Scientific Departments ....	9,40	9,40
XIV	37--Education ....	2,76,00	2,76,00
XV	38--Medical ....	9	88,18
XVI	39--Public Health ....	32,00	32,00
XVII	40--Agriculture ....	47,75	47,75
XVIII	40A--Rural Development ...	82	82
XIX	41--Veterinary ....	20,37	20,37
XX	42--Co-operation ....	10,80	10,80
XXI	43--Industries and Supplies ....	42,43	42,43
XXII	47--Miscellaneous Departments ....	82,04	82,04
	50--Civil Works ....	87,28	87,28
	50--Charges on Buildings and Roads (Combined) Establishment and Tools and Plant. ....	22,21	22,21
XXIII	50A--Capital Outlay on Civil Works financed from revenue ....	44,59	44,59
XXIV	51B--Other Revenue Expenditure connected with Multipurpose River Schemes. ....	19,47	19,47
	XLI--Receipts from Electricity Schemes--Working		

	Expenses ....	41,23	41,23
	Charges on Electricity (Combined) Establishment and Tools and Plant ....	17,20	17,20
XXV	52—Interest on Capital Out- lay on Electricity Schemes .....	5,60	5,60
	52A—Other Revenue Ex- penditure connected with Electricity Schemes ...	32	32
XXVI	54—Famine .....	34,77	34,77
XXVII	54B—Privy Purses and Allowances of Indian Rulers ....	5,62	5,62
XXVIII	55—Superannuation All- owances and Pensions ...	14 29,16	29,30
	55A—Commutation of pensions financed from ordinary revenues ....	5	5
XXIX	56—Stationery & Print- ing ....	28,25	28,25
XXX	57—Miscellaneous ...	3 63,54	63,57
XXXI	63B—Community Develo- pment Projects National Extension Service and Local Development Works ....	1,04,00	1,04,00
	TOTAL A ....	55,36 16,05,05	16,60,41
	B—Capital Expenditure outside the Revenue Account.		
XXXII	68—Construction of Irri- gation, Navigation, Embankment and Dra- inage Works (Commer- cial) ....	4,68 2,80,57	2,85,25
	80A—Capital Outlay on Multipurpose River Schemes ....	50,19 3,35,97	3,86,16
XXXIII	70—Capital outlay on Improvement of Public Health ...	25,36	25,36
XXXIV	71—Capital Outlay on Schemes of Agricultural		

	Improvement and Research	....	....	17,80	17,80
XXXV	72—Capital outlay on Industrial Development	..	..	26,38	26,38
XXXVI	81—Capital Account of Civil Works outside the Revenue Account	....	5	2,56,74	2,56,79
XXXVII	81A—Capital outlay on Electricity Schemes	....	1,35	1,22,50	1,23,85
XXXVIII	82—Capital Account of other State works outside the Revenue Account	....	....	8,04	8,04
XXXIX	83—Payments of commuted value of pensions	....	....	45	45
XL	87—Capital Outlay on State Schemes of Government Trading	....	...	18,26	18,26
	TOTAL B	....	56,27	10,92 07	11,48,34

	C—Disbursement of Loans and Advances				
	N—Public Debt	....	....	23,81,20	23,81,20
XLI	P—Loans and Advances by State Governments	....	1,80	2,76,20	2,78,00
	TOTAL C	....	23,83,00	2 76,20	26 59,20

TOTAL—Consolidated Fund    24,94,53    29,73,32    54,67,95

Dated 27-10-56

S. MANSINGH OF JAIPUR,  
Rajpramukh of Rajasthan.

Published in Raj. Raj-patra Dated November 22, 1956 part I (b) at page 691 :  
Rajasthan High Court, Jodhpur

### NOTIFICATION

Jodhpur, November 13, 1956.

No. 22/S R.O.—Under section 53 (2) of the State Reorganisation Act, the Hon'ble the Chief Justice has been pleased to order that advocates entitled to practise in the High Court of the former State of Rajasthan and advocates entitled to practise in the Court of Judicial Commissioner of the former State of Ajmer shall be recognised as advocates entitled to practise in the High Court of the new State of Rajasthan.

By Order,  
M. L. RAZDAN,  
Registrar.

Published in *Raj. Raj-patra* Dated November 1, 1956 part I (a) at page 39-40 :

Appointments (d) Department

NOTIFICATION

Jaipur, November 1, 1956.

*No. F. 7(16):Appts. (D)/56.*—The governor of Rajasthan is pleased to direct that in consequence of the provisions of the States Reorganisation Act, 1956 ( No. 37 of 1956) and for the purposes of section 116 of the said Act, the posts and offices which have ceased to exist by virtue or in consequence of the provisions of the said Act in the pre-Reorganisation State of Rajasthan shall be sanctioned as posts and offices under the new State of Rajasthan with effect from 1-11-1956.

Appointments (C) Department

ORDER

Jaipur, November 1, 1956.

*No. F. 1 (97) Appts.(C)/56.*—The Governor is pleased to make the following appointments of Secretaries/Deputy Secretaries/ Assistant Secretaries to the Government of Rajasthan and other Secretariat officers with effect from 1st November, 1956 :—

1. Shri B.S. Mehta, I.A.S. ... Development Commissioner cum-Additional Chief Secretary.
2. „ S. D. Ujwal, „ ... Secretary, Home Department.
3. „ Balwant Singh, „ ... Secretary, Agriculture Department.
4. „ R. N. Hawa, „ ... „ Revenue Department.
5. „ Z. S. Jhala, „ ... „ Public Works Department & Local Self-Government Department.
6. „ G. S. Purohit, „ ... Secretary, Finance Department.
7. „ C. S. Gupta, „ ... „ Education and Medical Departments.
8. „ M. Mukerji, „ ... Special Secretary (Appointments).
9. „ A. K. Roy, „ ... Secretary, Industries and Commerce.
10. „ K. N. Bhargava, I.A.A.S. ... Additional Secretary, Finance.
11. „ Prabhu Dayal Loiwal, R.J.S. ... Secretary, Law & Judicial.
12. „ Ram Singh, I.A.S. ... Deputy Secretary, Finance.
13. „ J. M. Lalwani, „ ... „ „ „
14. „ B N. Malhan, „ ... „ „ „ Planning and Development
15. „ G.K. Bhanot, „ ... Deputy „ Industries & Commerce.
16. „ Mohindersingh, „ ... „ „ Education.
17. „ Bhim Singh, „ ... „ „ Agriculture.
18. „ D. P. Sharma, „ ... „ „ Home.
19. „ R.C. Sinha, R.A.S. ... Director, Relief and Rehabilitation and Industries Deputy Secretary.
20. „ M. G. Dalela, „ ... Deputy Secretary, Revenue.
21. „ R. R. Jain. „ ... „ „ Political & Appointments(B)
22. „ D. N. Handa, „ ... „ „ General Administration Department.
23. „ P.K.B. Kurup, R.A.S. ... Deputy Secretary Appointments (C)& (D)

24.	Shri A. P. Kaushik,	R: A.S. ...	Deputy Secretary Medical.
25.	„ V. Mudgal,	R. S. S. ...	Offg. Deputy Secretary. Public Works Department and Local self-Government Department.
26.	„ D.K. Vyas,	„ ...	Offg. Deputy Chief Electoral Officer and Ex-offices, Deputy Secretary.
27.	„ Laharsingh Mehta,	R. J. S. ...	Joint Legal Remembrancer.
28.	„ M. L. Chobey,	R.S.S. ...	Assistant Secretary, Public Works Deptt.
29.	„ Dau Dayal Goswami,	R.S.S. ..	„ „ Finance (Rules).
30.	„ U. S. Menon,	„ ...	„ „ Agriculture.
31.	„ M. P. Shukla,	„ ...	„ „ Home.
32.	„ Aditya Nath,	„ ...	„ „ Labour.
33.	„ R. C. Mathur,	„ ...	„ „ Industries & Commerce.
34.	„ P. C. Gupta,	„ ...	„ „ Appointments (C)
35.	„ Kapoor Chand Ludhadiya,	„ ...	„ „ General Administration Department (C)
36.	„ S. K. Vyas,	„ ...	„ „ Home.
37.	„ Braham Dutt Sharma,	R.S.S. ..	„ „ Revenue.
38.	„ Radha Kishan Vyas.	„ ...	„ „ Education.
39.	„ Trilok chand,	„ ...	„ „ Appointments (D).
40.	„ Kunj Beharilal,	„ ...	„ „ Local self-Government Department.
41.	„ Baloo Lal Panagariya,	„ ...	„ „ Medical.
42.	„ S. K. Mehta	„ ...	„ „ Home.
43.	„ Sukh Deo Prashad,	„ ...	„ „ General Administration Deptt.(A).
44.	„ Prem Singh;	„ ...	„ „ Finance (III).
45.	„ Inder Raj.	„ ...	Registrar, Government Secretariat.
46.	„ Ganga Ram Purohit;	R.A.S. ...	Famine Relief Officer-cum-Assistant Secretary.
47.	„ Ram Narayan;	„ ...	Assistant Secretary. Appointments (A).
48.	„ B. P. Adib;	„ ...	„ „ Excise and Taxation.
49.	„ R. C. Gupta,	„ ...	„ „ Chief Electoral Officer & Ex- Officio Assistant Secretary.
50.	„ Radheya Shayam, Agarwal,	„ ...	Budget Officer-cum-Assistant Secretary.
51.	„ Sushil Kumar,	„ ...	Assistant Secretary, Development & Planning.
52.	„ R. K. Gupta,	„ ...	„ „ Education.
53.	„ Devi Singh,	„ ...	„ „ Revenue.
54.	„ Durga Shanker Acharya,	R. J. S. ...	„ „ Legal Remembrancer cum-Assis- tant Secretary.
55.	„ H. N. Saxena;	R. Ac. S, ...	Pension Liaison Officer.
56.	„ Mehtab Chand Mehta	„ ...	Accounts Officer; Finance Department.
57.	„ Richalpal Singh;	„ ...	„ „ Revenue
58.	„ Gyasi Ram;	„ ...	„ „ Government Secretariat.
59.	„ P. S. Surana;	„ ...	„ „ Finance Department.
60.	„ Mangi Lal Mathur;	„ ...	„ „ „
61.	„ M. L. Baheti	„ ...	Officiating Assistant Secretary; Finance Deptt.
62.	„ Ganpat Singh	„ ...	„ „ „ Appoint- ments (Emergency Recruitment for R.A.s.)
63.	„ Harish Chandra Mangal	„ ...	Assistant Secretary. Appointments(E)(Temp.)

64 .. Mahesh Chandra

O.S.D.-cum-Assistant Secretary Relief and Rehabilitation Department.

By order of the Governor.

KISHEN PURI,

Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated November 1, 1956 part I (b) at page 77-78 :*

Revenue (D) Department

### NOTIFICATIONS

Jaipur, November 1, 1956.

*No. 3345/F. 14(20) Rev. D/56*—In exercise of the powers conferred by section 15 of the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the pre-Reorganisation State of Rajasthan) and in exercise of all other powers enabling it in this behalf, the State Government hereby orders that with effect from the 1st day of November, 1956 the areas at present comprised within Jaipur Division of the pre-Reorganisation State of Rajasthan shall along with the Ajmer District, be comprised in the Ajmer Division, with headquarters at Ajmer.

Jaipur, November 1, 1956.

*No. 3344/F. 14(21) Rev. D/56*.—In exercise of the powers conferred by section 15 of the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the pre-Reorganisation State of Rajasthan) and in exercise of all other powers enabling it in this behalf, the State Government hereby orders that the Kishengarh Sub-Division of the Jaipur District of the pre-Reorganisation State of Rajasthan shall, with effect from 1st day of December, 1956, constitute a Sub-division of the Ajmer District.

Jaipur, November 1, 1956.

*No. 208/F. 14(19) Rev. D/56*,—In exercise of the powers conferred by section 15 of the Rajasthan Land Revenue Act, 1956 (Act 15 of 1956 of the pre-Reorganisation State of Rajasthan) and section 7 of the Bombay Land Revenue Code 1789 (Bombay Act V of 1879) as in force in the Abu Area, read with sub-section (2) of section 10 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) and of all other powers enabling it in this behalf, the State Government hereby orders that with effect from 1st November, 1956, the Sirohi District shall be divided into Sub-divisions, comprising Tehsils as follows:—

1. Mount Abu Sub-division, consisting of the following Tehsils:—

- (i) The Abu Road Tehsil, comprising the Abu area, that is, the area Abu Road Taluqa of the Banaskantha District of the pre-Reorganisation State of Bombay, which now forms part of the State of Rajasthan;
- (ii) The Reodar Tehsil, the limits of the Tehsil being the same as at present ;
- (iii) The Pindwara Tehsil, the limits of the Tehsil being the same as at present.

2. The Sirohi Sub-division, comprising the remaining portion of the area comprised in the Sirohi District immediately before the 1st November, 1956.

Jaipur, November 1, 1956.

No. F. 14(9) Rev. D/56.—In exercise of the powers conferred by section 5 of the Madhya Barat Land Revenue and Tenancy Act, Sambat 2007 (Madhya Bharat Act 66 of 1950 (Sambat 2007) as in force in the Sunel Area read with sub-section (2) of section 10 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) and in exercise of all other powers enabling it in this behalf, the State Government hereby orders that the Sunel Area, i. e. the area of the Sunel Tappa of the Bhanpura Tehsil of the Mandsaur District of the pre-Reorganisation State of Madhya Bharat, which now forms part of the State of Rajasthan, shall constitute a sub-Tehsil in the Pirawa Tehsil of the Jhalawar District as from 1-11-56.

By Order of the Governor,

R. N HAWA,

Secretary to the Government.

*Published in Raj. Raj-patra Dated November 1, 1956 part IV (c) at page 2-4 :  
Jaipur, November 1, 1956.*

No. 19155II/F.1 (f)(4) L S G/56.—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) read with the provisions of the laws referred to in columns 1 and 2 of the schedule hereto annexed and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Where by or under any of the law specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the first day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for in relation to the existing authority officer, or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said schedule all the functions of the authority, officer or person concern under the law referred to in column 2 shall be deemed to have been entered therein.



# SCHEDULE

Laws	Provision	Functions	Existing Authority, officer of person	corresponding authority, officer or person
1	2	3	4	5
The Ajmer State Panchayat Act, 1954 Act No VII of 1954.	Section 4	Prescribed authority	(Deputy Director of Panchayats, State of Ajmer.)	Divisional Panchayat Officer, Ajmer.
	Section 8 (2)		„ (State Government)	Chief Panchayat Officer, Rajasthan
	Section 10 (2)		„ (Director of Panchayats State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 17 (2)	}	„ (Director of panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 17 (3)		„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 24 (e)		„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 26		„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 28		„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 32 (1)	}	„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 32 (2)		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 37		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 38		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 48 (1)(a)	}	„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 48 (1)(d)		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 48 (2)		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 100 (1)	}	„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 100 (2)		„ (Director of Panchayats, State of Ajmer)	Chief Panchayat Officer, Rajasthan.
	Section 102 (1)	}	„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 102 (2)		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 102 (3)		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 103		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.
	Section 106		„ (Deputy Director of Panchayats, State of Ajmer)	Divisional Panchayat Officer, Ajmer.

3. The Co-operative Societies Act, Gwalior State, Samvat 1997, as adopted by Section 3 of the Madhya Bharat Co-operative Societies [Adaptation] Act, Samvat 2006 [Madhya Bharat Act, 45 of 1949 Samvat 2006].

Registrar of Co-operative Societies.

Registrar of Co-operative Societies, Jaipur.

This Notification is not to be construed as affecting any delegation of powers of the Registrar of Co-operative Societies made under any of the laws mentioned above before the issue of this Notification.

By Order of the Governor,  
BALWANTSINGH,

Secretary to the Government.

*Published in Raj. Raj-patra Dated November 1, 1952 part IV (c) at page 251 :*

HOME DEPARTMENT [B]

#### NOTIFICATION

*Jaipur, November 1, 1956.*

No. D. 1350/F. 16 [9] [34] HB/56 — In exercise of the powers conferred by Section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Whereby or under any of the laws specified in column 1 qualifications of or in relation to any authority officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.

SCHEDULE

Laws 1	Provision. 2	Functions. 3	Existing Authority Officer or Person. 4	Corresponding Authority, Officer or Person. 5
The M. V. Act 1939 (Central Act IV of 1939) and the Ajmer Merwara Motor Vehicles Rules, 1940.	Section 64 of the Act & Rule 4.31 of the Rules.	Authority to decide appeals against the orders of the P.T.A. (S.T.A.) under clauses (a), (b), (c), (d), (e) and (f) of Section 64 of the Act.	State Government.	Collector and Distt. Magistrate, Ajmer.
	Section 13 (2) and 15 (3) of the Act and Rule 2.5 (a) of the Rules.			
	Section 16 (2) of the Act and Rule 2.5 (v) of the Rules.			
	Section 41 (2) (b) of the Act and Rules 3. 2. of the Rules.			
The Ajmer motor Vehicles Taxation Act, 1953 (Ajmer Act V of 1953) and the Ajmer Motor Vehicles Taxation Rules, 1954.	Section 2 (1) (a).	Functions under Section 11	Registering Authority (Supdt. of Distt. Police, Ajmer Merwara).	Collector & Distt. Magistrate Ajmer.
	Collector.			Regional Transport Officer, Jaipur.

## Rule 7[a],

Appellate Authority against the orders of Licensing Authority ('Transport Commissioner').

Regional Transport Authority, Udaipur.

## Rule 25.

Regional Transport Officer (Registering Authority),

Collector & District Magistrate, Jhalawar.

## Rule 26.

Appellate Authority against the order of Registering Authority ('Transport Commissioner').

Regional Transport Authority, Udaipur.

## Rule 48.

State Transport Authority;

State Transport Authority, Jaipur.

## Rule 49.

Regional Transport Authority.

Regional Transport Authority, Udaipur.

## Rule 80.

Appellate Authority to hear appeals against the section 64 of the Motor Vehicles Act, 1939.

Appellate Tribunal of State Transport Authority, Jaipur.

This shall have effect as from the 1st November, 1956.

By Order of the Governor,  
S. D. UJWAL.  
*Secretary to the Government.*

Published in Raj. Raj-patra Dated November, 1 1956 parc IV (c) at page 256-257

# HOME DEPARTMENT [B]

## NOTIFICATION

Jaipur, November 1, 1956.

No. D. 2205/F. 18 (210) H. B./56.—In exercise of the powers conferred by section 122 of the State Reorganisation Act, 1956 [Central Act 37 of 1956], read with the provisions of the laws referred to in columns 1 and 2 of the Schedule thereto annexed, and all other powers enabling it in this behalf the State Government hereby specifies in column 5 thereof the authority officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Whereby or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualification prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.

## SCHEDULE

Laws.	Provision.	Functions.	Correspond-	
			Existing Authority Officer or Person.	ing Authority Officer or Person.
1	2	3	4	5
The Indian Prisons Act Adaptation Act Samvat 2006 (Madhya Bharat Act 23 of 1950 (Samvat 2006).	The Prisons Act 1894 (Central Act IX of 1894).	....	Inspector General of Prisons.	Inspector General of Prisons Jaipur.

The Prisons Act, Section 5. .... -do- -do-  
 1894 (Central Act  
 IX of 1894), in  
 its application to  
 the Abu area of  
 the State of Raj-  
 asthan.

The Prisons Act 1894 Sections. Inspector General Inspector  
 (Central Act IX of of Prisons. General  
 1894). of Prisons,  
 Jaipur.

This order shall have effect as from the 1st day of November, 1956.

By order of the Governor,

S D, UJWAL,

Secretary to the Government.

*Published in Raj. Raj-patra Dated November 8, 1956, part IV (c) at page 240-246:*

## EXCISE AND TAXATION DEPARTMENT

### NOTIFICATION

Jaipur, November 8, 1956.

No. F. 14 [84] E & T/56 1.—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 [Central Act 37 of 1956], read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Where by or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 2 shall be deemed to have been entered therein.

5. This notification shall have effect as from the 1st day of November, 1956.

# SCHEDULE

Existing authority,

Laws Provision Functions Officer or person Corresponding authority, Officer or person

1	2	3	4	5
<i>The Excise Regulation (Central Regulation I of 1915)</i>	(1) Section 2 (3) read with section 7 (a) and all provisions conferring functions on the Excise Commissioner	(2) Section 11 (3) Section 16 (2)(b) (4) Section 19 (5) Section 32 (6) Section 46 (7) Section 47(1)&(2) (8) Section 49 (9) Section 51	Excise Commissioner Collector Collector Collector Collector Collector Collector (i) Excise Commissioner (ii) Collector (iii) Any other officer not below such rank as the Chief Commissioner may prescribe.	Commissioner of Excise, Rajasthan. Asstt. Commissioner of Excise, Ajmer. Asstt. Commissioner of Excise, Ajmer. Asstt. Commissioner of Excise, Ajmer. Asstt. Commissioner of Excise, Ajmer. Asstt. Commissioner of Excise, Ajmer. Deputy Commissioner of Excise, Ajmer. Asstt Commissioner of Excise, Ajmer. (i) Commissioner of Excise, Rajasthan. (ii) Deputy Commissioner of Excise, Jipur. (iii) Asstt. Commissioner of Excise or such other officer as the State Government may prescribe. Asstt. Commissioner of Excise, Ajmer.
			Collector	
			Collector	
			Collector	
			Collector	
			Collector	
			Collector	
			Collector	
			(i) Excise Commissioner	
			(ii) Collector	
			(iii) Any other officer not below such rank as the Chief Commissioner may prescribe.	
			Collector	
		(10) Section 57		Asstt. Commissioner of Excise, Ajmer.

Asstt. Commissioner of Excise  
Deputy Commissioner of Excise.

Ajmer.

Collector  
Collector

(11) Section 61  
(12) Section 64(1)(b)  
(13) Section 64[2] Taking  
over  
agrant  
under  
mana-  
gement  
Collector

Deputy Commissioner of Excise.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Sales Tax Officer.

Commissioner of Sales Tax. Rajasthan.

The Ajmer Sales Tax Act, 1955.  
1. Section 2(1)(k)  
2. Section 4  
(Ajmer Act IV of 1955.)  
3. Section 5(2)(a)  
ii and iii

4. Section 6(4), 6(5)  
and 6 (6).

5. Section 8

6. Section 9(2)

7. Section 10(1), 10  
(2) and 10(4).

8. Section 11(1) and  
11 (2).

9. Section 12.

10. Sections 13(1), 13  
(2), 13 (3) and  
13 (4).

11. Section 16

12. Section 17

13. Section 18 (1)

Collector

Collector

Collector

Appellate authority  
being such auth-  
ority as may be  
prescribed.



(for hearing appeals by dealers objecting to an assessment). Revising authority being such authority, as may be prescribed for the purpose.	14. Section 19(2)	Deputy Commissioner of Sales Tax.
		Additional Commissioner of Sales Tax, Jaipur.
The Ajmer Sales Tax Rules, 1955.	15. Section 20	Commissioner of Sales Tax, Rajasthan.
	16. Section 21	Sales Tax Officer.
	17. Section 24(2)	Commissioner of Sales Tax, Rajasthan.
	18. Section 25	Sales Tax Officer,
	19. Section 26	Commissioner of Sales Tax, Rajasthan.
	20. " 29(2)(m)	Commissioner of Sales Tax, Rajasthan.
	1. Rule 10(1)	Sales Tax Officer.
	2. " 11(2)	Deputy Commissioner of Sales Tax.
	3. " 12(1)	Deputy Commissioner of Sales Tax.
	4. " 13(1)&13(4)	Deputy Commissioner of Sales Tax.
	5. " 30	Commissioner of Sales Tax, Rajasthan.
	6. " 35	" "
	7. " 42	Deputy Commissioner of Sales Tax.
	8. " 48	Commissioner of Sales Tax, Rajasthan.
	9. " 50	Deputy Commissioner of Sales Tax.
	10. " 56	Additional Commissioner of Sales Tax, Jaipur.
	11. " 58(1)	Deputy Commissioner of Sales Tax.
	12. " 58(2)	Deputy Commissioner of Sales Tax.
	13. " 59	Deputy Commissioner of Sales Tax.
	14. " 67	Deputy Commissioner of Sales Tax.



The Bombay Sales Tax Act, 1953 (Bom. III of 1953).	Section 4	Tribunal Collector	Commissioner of Sales Tax, Rajasthan. Sales Tax Officer, Sirohi.
"	10(b)	"	"
"	10A	"	"
"	12	"	"
"	12A	"	"
"	13	"	"
"	14	"	"
"	15	"	"
"	16	"	"
"	17	"	"
"	18A	"	"
"	19	"	Commissioner of Sales Tax, Rajasthan. Sales Tax Officer, Sirohi.
"	20	"	Commissioner of Sales Tax, Rajasthan. Sales Tax Officer, Sirohi
"	22	"	"
"	23	"	"
"	27	"	"
"	28	(i) Tribunal (ii) Collector Collector (i) Collector	(i) Commissioner of Sales Tax, Rajasthan. (ii) Sales Tax Officer, Sirohi. Sales Tax Officer, Sirohi. (i) Additional Commissioner of Sales Tax, Jaipur.
"	29	"	"
"	31	"	"
"	33	(ii) Tribunal (i) Collector	(ii) Commissioner of Sales Tax, Rajasthan. (i) Additional Commissioner of Sales Tax, Jaipur.
"	34	(ii) Tribunal (i) Tribunal (ii) Collector	(ii) Commissioner of Sales Tax, Rajasthan. (i) Commissioner of Sales Tax, Rajasthan. (ii) Additional Commissioner of Sales Tax, Jaipur.
Section 35		Collector	Sales Tax Officer, Sirohi.
"	37	"	Commissioner of Sales Tax, Rajasthan.



Rules made there-  
under.

section 2[b] read with  
section 27 [1] [a] and  
other provisions  
confering powers on  
the Appellate autho-  
rity.

Appellate authority. Deputy Commissioner of Sales Tax,  
Kota.

Section 2[d] and other  
provisions conferring  
powers on the Sales  
Tax Officer.

Sales Tax Officer. Sales Tax Officer for the Jhalawar  
Distt.

Section 4[3] and 5  
and other provisions  
confering powers  
on the registering  
authority.

Prescribed authority  
in respect of regis-  
tration of dealers.

Sales Tax Officer for the Jhalawar  
District.

*U. P. Acts.*  
*The United Pro-*  
*vinces Opium*  
*Smoking Act,*  
1934 [U.p. Act  
III of 1934 as  
adapted to the  
Ajmer area] and  
Rules made  
there under.

Collector, i. e. the  
Collector of Excise  
Revenue, Ajmer.

Assistant Commissioner of Excise,  
Ajmer.

Section 2[6] and all  
provisions conferring  
powers on the Excise  
Commissioner.

Excise Commis-  
sioner.

Commissioner of Excise Rajasthan.

The Bombay Prohibition Act, 1949 [Bombay XXXV of 1949].	Section 2 [35]	Prohibition Officer.	
	4.	Director [of Excise & Prohibition].	[i] Commissioner of Excise, of Rajasthan.
	5.	Director [of Excise & Prohibition].	[ii] Dy. Commissioner of Excise, Jodhpur.
	9.	Director [of Excise & Prohibition].	[iii] Asstt. Commissioner Excise, Sirahi Distt.
	10.	Director [of Excise & Prohibition].	[iv] Excise Inspector of Sirahi District].
	24.	Director [of Excise & Prohibition].	Commissioner of Excise, Rajasthan.
	26.	Director [of Excise & Prohibition].	" " " "
	34.	Director [of Excise & Prohibition].	" " " "
	40.	Director [of Excise & Prohibition].	" " " "
	44.	[i] Director [of Excise & Prohibition	[i] Commissioner of Excise, Rajasthan.
	45.	[ii] Collector	[ii] Deputy Commissioner of Excise, Jodhpur.
	46.	Director	Commissioner of Excise, Rajasthan.
	54.	"	" " " "
	59.	"	" " " "
	59A.	"	" " " "
	60.	Collector	" " " "
			Deputy Commissioner of Excise, Jodhpur.

Section 67B.	Director	Commissioner of Excise, Rajasthan.
" 100	[i] "	Commissioner of Excise, Rajasthan.
"	[ii] "	Deputy Commissioner of Excise, Jodhpur.
" 101	[i] "	Commissioner of Excise, Rajasthan.
"	[ii] "	Deputy Commissioner of Excise, Jodhpur.
" 104	State Government	Commissioner of Excise, Rajasthan.
" 106	[i] Director	Commissioner of Excise, Rajasthan.
" 107	[ii] Collector	Commissioner of Excise, Rajasthan.
"	Director	" " "
" 107B.	Collector	" " "
"	"	Assitant Commissioner of Excise, Sirohi District.
" 112	"	Commissioner of Excise, Rajasthan.
" 120	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
"	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
" 122	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
"	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
" 124	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
"	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
" 125	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
"	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.

Section 126	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
127	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
128	[i] Director	[i] Deputy Commissioner of Excise, Jodhpur.
	[ii] Collector	[ii] Assistant Commissioner of Excise, Sirohi District.
132	[i] Prohibition Officer.	[i] Inspector of Excise.
	[ii] Director	[ii] Deputy Commissioner of Excise, Jodhpur.
	[iii] Collector	[iii] Assistant Commissioner of Excise, Sirohi District.
137(A)	[i] Prohibition Officer other than the Collector or Director.	[i] Assistant Commissioner of Excise, Sirohi District.
	[ii] Collector	[ii] Deputy Commissioner of Excise, Jodhpur.
139 (K)	[iii] Director Collector	[iii] Commissioner of Excise, Rajasthan. Commissioner of Excise, Rajasthan.
144	Director	Commissioner of Excise, Rajasthan.



The Bombay Sales of Section 4  
Intoxicants Taxa-  
tion Act, 1953 (Bom.  
XLVII of 1953).  
Section 9

Collector. Sales Tax Officer, Sirohi

" " " "

" " " "

" " " " " "  
Officer authorised Sales Tax Officer, Sirohi.  
in this behalf by  
the Collector.

Collector. Sales Tax Officer, Sirohi.

" " " "

" " " "

" " " "  
Commissioner of Sales Tax, Rajasthan.  
Deputy Commissioner of Sales Tax,  
Jodhpur for orders passed by Sales  
Tax Officer only.

Collector. Additional Commissioner, Sales Tax,  
Jaipur.

Excise Commissioner. Commissioner of Excise, Rajasthan.  
Collector. Assistant Commissioner of Excise,  
Jhalawar District.

Collector. Assistant Commissioner of Excise,  
Jhalawar District.

Excise Commissioner. Commissioner of Excise, Rajasthan.  
Excise Commissioner. Commissioner of Excise, Rajasthan.  
Excise Commissioner. Commissioner of Excise, Rajasthan.  
Licensing authority. Deputy Commissioner of Excise Kota.  
Collector Deputy Commissioner of Excise Kota.

Excise Commissioner. Commissioner of Excise, Rajasthan.  
Excise Commissioner. Commissioner of Excise, Rajasthan.  
Excise Commissioner. Commissioner of Excise, Rajasthan.  
Collector. Deputy Commissioner of Excise, Kota.

Section 10

11

13

17

Section 22 (1)

Section 22 (3)

Section 6 (a)

Section 6 (b)

Section 10 (1)

Section 11.

13.

16.

17. (2).

18.

20.

21.

29.

30.

The Madhya Bharat  
Excise Act, Samvat  
2009 (Madhya Bharat  
Act, 14 of 1952  
(Samvat 2009).

1	2	3	4	5
			Excise Commissioner.	Commissioner of Excise.
	Section 31.		Collector.	Deputy Commissioner of Excise, Kota.
	" 52.		Collector.	Commissioner of Excise, Rajasthan.
	" 53.		(i) Excise Commissioner.	(i) Commissioner of Excise, Rajasthan.
	" 56.		(ii) Collector.	(ii) Deputy Commissioner of Excise, Kota.
	Section 57.		Any Excise Officer.	Officers of Excise Department of Rajasthan of or above the rank of Inspector.
	" 59.		Any Excise Officer.	Officers of Excise Department of Rajasthan of or above the rank of Inspector.
	" 60.		Any Excise Officer.	Officers of Excise Department of Rajasthan of or above the rank of Inspector.
	" 66.		Collector.	Asstt. Commissioner of Excise, Jhalawar District.
	70.		Collector.	Deputy Commissioner of Excise, Kota.

*Published in Raj. Raj patra Dated November 22, 1956, part I (b) at page 697.*

Irrigation (Co-operation) Department.

# NOTIFICATION

Jaipur, November 8, 1956.

*No. D. 2591/F. 5(233) Agr./56.*—In pursuance of the proviso to clause (f) of section 2 of the Reserve Bank of India Act, 1934 (II of 1934) as amended by section 104 of the States Reorganisation Act, 1956 (37 of 1956), the Government of Rajasthan does hereby declare the Rajasthan State Co-operative Bank Limited, Jaipur to be the State Co-operative Bank within the meaning of the definition contained in the aforesaid section for the whole of the State of Rajasthan as formed under the States Reorganisation Act, 1956 (37 of 1956) on the 1st day of November, 1956.

By Order of the Governor,

BALWANT SINGH

Secretary to the Government.

*Published in Raj. Raj-patra Dated December 13, 1956 part IV (c) at page 687-688*

Medical & Public Health Department.

# NOTIFICATION.

Jaipur, November 17, 1956.

*No. F. 1 (33) (249) MPH/56/Misc.*—In exercise of the powers conferred by section 124 of the State Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Where by or under any of the laws specified in column 1, qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under

the law referred to in column 1 shall be deemed to have been entered therein.

5. This notification shall have effect as from the 1st day of November; 1956.

Law.	Provision.	Functions.	Existing officer, authority or person.	Corresponding authority, officer or person.
1.	2.	3.	4.	5.
1. The Bombay Distt. Vaccination Act, 1892 (Bombay Act I of 1892) as in force in the Abu area.	Section 4 (i)	Sanitary commissioner (Director of Public Health)	Director of Medical & Health Services, Jaipur.	
2. The Bombay Nursing Homes Registration Act, 1949 (Bombay Act XV of 1949) as in the Abu area.	Section 9	Civil Surgeon.	Chief Medical Officer, Sirohi.	

By Order of the Governor,  
C. S. CUPTA,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 29, 1956 part IV (c) at page 1.*

Rajasthan Legislative Assembly

### NOTIFICATION

Jaipur, November 12/13, 1956

No. 30/N/LA/56.—In exercise of the powers conferred by section 32 of the States Re-organisation Act, 1956, the Speaker of Rajasthan Legislative Assembly has made the following modifications in the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, as in force immediately before the 1st of November, 1956, which were published in the Rajasthan Rajpatra, Extraordinary, Part IV-C, dated the 24th May, 1956 and which, by virtue of the above provision shall have effect in relation to the Legislative Assembly of the new State of Rajasthan:—

1. Substitute 'Governor' for the expression 'Rajpramukh' wherever it occurs in the Rules.
2. Omit the words and figures 'read with article 238' from Rules 5, 13, 19, 20, 23 (2) (i), 53, 78 and 206.

By Order of the Speaker,  
M. R. PUROHIT.  
Secretary.

*Published in Raj. Raj-patra Dated November 29, 1956 part IV (c) at page 648-649*

General Administration Department.

### NOTIFICATION

Jaipur, November 19, 1956.

**No.F. 1 (57)GA/A/56**—In exercise of the powers conferred by section 122 of the States Re-organisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Where by or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.

5. This notification shall have effect as from the 1st day of November, 1956.

### SCHEDULE

Laws.	Provision.	Functions.	Existing authority, officer or person.	Corresponding authority, officer or person.
1.	2.	3.	4.	5.
1. The Madhya Bharat Government Premises (Eviction) and Recovery of Rent Act, Samvat 2008 (Madhya Bharat Act 27 of 1951).	Section 2(a)	Competent authority i. e any person authorised by the Government by notification in the official Gazette to perform the	Collector, Jhalawar District.	

functions of the Competent authority for the Sunel area.

2. The Madhya Bharat Section 2 (b) Competent authority. Collector, Requisitioning of Immovable property Act 1954 (Madhya Bharat Act 35 of 1954). Jhalawar District.

By Order of the Governor,  
KISHEN PURI,

Chief Secretary to the Government.

Published in Raj. Raj-patra Dated December 27, 1956 part I (b) at page 723 :

Finance (B) Department

### NOTIFICATION

Jaipur, December 26, 1956.

No. F. 4 (13) F (B)/56.—The following order of the Governor of Rajasthan is hereby published for general information.

G. S. PUROHIT,

Secretary to Government,

In exercise of the power conferred on me by section 70 of the States Reorganisation Act, 1956 (Central Act, 37 of 1956) I, Gurmukh Nihal Singh, Governor of Rajasthan, do hereby authorise that from and out of the Consolidated Fund of the new State of Rajasthan a sum not exceeding that specified in column 3 of the Schedule hereto appended amounting to Rs. 1,00 crore (rupees one crore) only shall be paid towards defraying the several charges which will come in course of payment during the period of five months ending on the 31st day of March, 1957, in respect of the services specified in column 2 of the said Schedule and do hereby further order that the sum authorised to be paid as aforesaid shall be appropriated for the services and purposes of the new State of Rajasthan as expressed in the said Schedule.

The Schedule referred to above.

### THE SCHEDULE.

(In Thousands of Rupees).

Grant No.	Service and Purpose	Amount Authorised.		
		Charged	Total.	
		Rs.	Rs.	Rs.
Consolidated Fund.				
B—Capital Expenditure outside the Revenue Account.				
XLII. 85 B—Appropriations to the Contingency Fund				
		...	1,00,00	100,00
Total		...	1,00,00	1,00,00

GURMUKH NIHAL SINGH,  
Governor of Rajasthan.

*Published in Raj. Raj-patra Dated February 7, 1957 part I (G) at page 811 :*

# PUBLIC WORKS DEPARTMENT NOTIFICATION

Jaipur, January 9, 1957.

No. F. 11 (143) PW Misc/56—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in Column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in Column 4.

2. Where by or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 2 shall be deemed to have been entered therein.

5. This notification shall have effect as from the 1st day of November, 1956.

## SCHEDULE

Laws	Provision	Functions	Existing authority, Officer or person.	Corresponding authority, Officer or person.
1	2	3	4	5
The Bombay Lifts Act, 1939 (Bom. X of 1939)	Section 3 (a)		Inspector of Lifts (Executive Engineer, Bombay Electrical Division, (Bombay).	Electric Inspector, Rajasthan.

do

Sections  
8(1)&11Dy. Engineer  
(Lifts).Electric Inspector,  
Rajasthan.

By order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated February 21, 1957 part I (b) at page 796-798*

# REVENUE (D) DEPARTMENT

## NOTIFICATION

Jaipur, January 31, 1957.

No. F.12 (16) Rev/D/56.—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in Column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the Authority, Officer or person mentioned in column 4.

2. Whereby or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.



# SCHEDULE

Laws	Provision.	Functions.	Existing authority officer or person	Corresponding authority, officer or person.
1	2	3	4	5
1. The Ajmer Tenancy & Land Records Act, 1950 (Central Act XLII of 1950) as in force in the Ajmer Area.	Section 4(35)  Section 4(35) read with Section 142.		Collector Sub-Divisional Officer Assistant Commissioner. Tehsildar Record Officer Assistant Record Officer Rent-Rate Officer. Revenue Officer i.e. person appointed to do anything to be done by a Revenue Officer.	Collector, Ajmer Sub-Divisional Officer concerned Assistant Collector. Tehsildar. Record Officer Assistant Record Officer. Rent-Rate Officer. Existing Officers.
2. The Ajmer Land & Revenue Regulations 1877 (Ajmer Regulations II of 1877) as in force in the Ajmer Area.	Section 2(C)(3)		Registrar General of Money Lenders.	Secretary to the Government in the Revenue Department.
3. The Bombay Money Lenders Act, 1946 (passed in 1947) being Bombay Act XXXI of 1947 as extended to the Ajmer area.	Section 3		Registrar of Money lenders. Assistant Registrar of Money lenders. Compensation Commissioner.	Registrar, Co-operative Societies, Jaipur. Assistant Registrar Co-operative Societies, Jaipur. Jagir Commissioner, Jaipur.
4. The Ajmer Abolition of Intermediaries & Land Reforms Act, 1955 (Ajmer Act III of 1955) as in force in the Ajmer area.	Section 2 (1)(iii)	...		
5. The Bombay Land Revenue Code 1879 (Bombay V of 1879) as in force in the Abu area			Settlement Commissioner. Director of Land Records.	Settlement Commissioner. Jaipur Director Land Records, Jaipur.

# Notifications under State Reorganisation Act, 1956.

6. The Bombay Money lenders Act, 1946 (Bombay Act XXXI 1947) as in force in the Abu area.	Section 3	...	Registrar General of Money lenders Registrar of Money lenders Assistant Registrar, of Money lenders. Settlement Commissioner & Director of Land Records	Secretary to the Government in the Revenue Department. Registrar of Co-operative Societies, Jaipur. Assistant Registrar of Co-operative Societies, Jaipur. Director of Consolidation, Jaipur.
7. The Bombay prevention of Fragmentation & Consolidation of Holdings Act, 1947 (Bombay Act LXII of 1947) as in force in the Abu Area.	...	...	...	...
8. The Madhya Bharat Money lenders Act Sainvat' 2007 (1950) (Madhya Bharat Act No. 62 of 1950 (St. 2007) as in force in Sunel area.	Section 2(8) read with section 3	...	Sub-Registrar	Assistant Registrar Co-operative Societies, Kotah
9. The Madhya Bharat Land Revenue & Tenancy Act, St. 2007 (Madhya Bharat Act 66 of 1950) (St. 2007) as in force in the Sunel area.	Section 6	...	Commissioner. Settlement Commissioner. Director of Land Records. Suba (Collector) Settlement Officer. Deputy Director of Land Records Naib Suba. Tehsildar. Assistant Settlement Officer. Assistant Director of Land Records. Naib Tehsildars Sadar Kanungoes. Girdawar Kanungoes	Commissioner, Kotah Settlement Commissioner, Jaipur. Director of Land Records, Jaipur. Collector, Jhalawar. Settlement Officer, Kotah Assistant Director of Land Records, Jaipur. Assistant Collector, Jhalawar. Tehsildar, Pirawa. Assistant Settlement Officer, Jhalawar Assistant Director of Land Records, Jaipur. Naib Tehsildars Sadar Kanungoes Girdawar Kanungoes

10. Madhya Bharat Zamindari Abolition Act, St. 2008 (Madhya Bharat Act 13 of 1951) (St. 2008) as in force in the Sunel area.	Section 10	...	Deputy Compensation Officer.	Assistant Collector, Jhalawar.
	Section 14(1)		Compensation Officer	Collector, Jhalawar.
	Section 14(2)		Compensation Commissioner.	Jagir Commissioner, Jaipur.
	Section 17		Claims Officer.	Collector, Jhalawar.
11. The Madhya Bharat Abolition of Jagirs Act St. 2008 (Madhya Bharat Act 28 of 1951 (St. 2008) as in force in the Sunel area.	Section 2(1)(v)	...	Jagir Commissioner	Jagir Commissioner, Jaipur.
12. The Madhya Bharat Destrutions of Records Act, St. 2009 (Madhya Bharat Act 32 of 1952 (St. 2009) as in force in the Sunel Area.	Section 2(2)(c)	...	Chief Inspector of Officers and Records.	Board of Revenue, Jaipur.
13. The Births, Deaths & Marriages Registration Act, 1886 (Central Act VI of 1886) as in force in the Abu Area,	Section 6 (B)	...	Registrar General of Births, Deaths & Marriage (Inspector General of Registration)	Inspector General of Registration, Jaipur.
			By Order of the Governor, M. G. DALELA Secretary to the Government.	

Published in Raj. Raj-patra Dated March 28, 1957 part IV (c) at page 941-942

Finance (B) Department

Jaipur, March 26, 1957.

No. F. 4 (13) F(B)/56.—The following order of the Governor of Rajasthan is hereby published for general information.

K. N. BHARGAVA,

Additional Secretary to Government.

### ORDER

In exercise of the power conferred on me by section 70 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) I, Gurmukh Nihal Singh, Governor of Rajasthan, do hereby authorise that from and out of the Consolidated Fund of the new State of Rajasthan a sum not exceeding that specified in column 3 of the Schedule hereto appended amounting to Rs. 7,70,83,000/- (Rupees seven crores seventy lakhs and eighty three thousand only) shall be paid towards defraying the several charges which will come in course of payment during the period of five months ending on the 31st day of March, 1957, in respect of the services specified in column 2 of the said Schedule and do hereby further order that sum authorised to be paid as aforesaid shall be appropriated for the services and purposes of the new State of Rajasthan as expressed in the said Schedule.

### The Schedule

Grant Number	Service and Purpose	Amount Authorised		
		Charged		Total
1	2		3	
<b>CONSOLIDATED FUND</b>				
<b>A—Expenditure on Revenue Account.</b>				
XLIII	7—Land Revenue ...	...	5,35,000	5,35,000
XLIV	10—Forest ...	...	1,000	1,000
XLV	12—Taxes on vehicles ...	...	1,000	1,000
XLVI	13—Other Taxes and Duties ...	...	1,06,000	1,06,000
..	22—Interest on Debt and other Obligations ..	24,63,000	...	24,63,000
XLVII	25—General Administration ....	71,000	9,47,000	10,18,000
XLVIII	27—Administration of Justice ...	1000	1,000	2,000
XLIX	28—Jails and Convict Settlements ...	...	70,000	70,000
L	29—Police ...	...	3,13,000	3,13,000
LI	36—Scientific Departments ....	1,000	...	1,000
LII	37—Education ....	...	4,000	4,000
LIII	38—Medical ...	...	16,000	16,000
LIV	39—Public Health ...	...	1,000	1,000
LV	40—Agriculture ....	3,000	1,000	4,000

LVI	42-Co-operation	....	...	1,000	1,000
LVII	43-Industries and Supplies	....	...	1,000	1,000
LVIII	47-Miscellaneous Departments	....	2,000	8,000	10,000
LIX	54-Famine	...	....	1,000	1,000
LX	55-Superannuation Allowances & pensions	...	...	16,000	16,000
LXI	57-Miscellaneous	...	5,000	23,78,000	23,83,000
TOTAL—A		....	25,46,000	44,01,000	69,47,000
B—Capital Expenditure outside the Revenue Account.					
LXII	68-Construction of Irrigation, Navigation, Embankment, and Drainage Works (Commercial)	....	...	2,000	2,000
LXIII	80A-Capital Outlay on Multipurpose River Schemes	....	16,00,000	1,000	16,01,000
LXIV	70-Capital Outlay on Improvement of Public Health	...	...	2,20,000	2,20,000
LXV	72-Capital outlay on Industrial Development	...	...	1,000	1,000
LXVI	82-Capital Account of other State Works outside the Revenue Account	...	5,000	...	5,000
LXVII	87-Capital Outlay on State Schemes of Government Trading	...	3,000	...	3,000
TOTAL—B		....	16,08,000	2,24,000	18,32,000
C—Disbursements of Loans and Advances					
N—Public Debt		....	6,25,00,000	...	6,25,00,000
LXVII P—Loans and Advances by State Governments		...	...	58,04,000	58,04,000
TOTAL—C		....	6,25,00,000	58,04,000	6,83,04,000
TOTAL Consolidated Fund		....	6,66,54,000	1,04,29,000	7,70,83,000

GURMUKH NIHAL SINGH,

Dated 25-3-1957.

Governor of Rajasthan.

*Published in Raj. Raj-patra Dated May 21, 1957 part VI (a) at page 33*

**LOCAL SELF-GOVERNMENT (A) DEPARTMENT  
NOTIFICATION**

No. R. 3501/F. 1 (b) (4) LSG/A/56—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) and all other powers enabling it in this behalf, the State Government does hereby specify the Director of Local bodies, Rajasthan, Jaipur as the person who as from 1-11-56 shall be competent to exercise the functions exercisable by the Inspector General of Municipalities Act, 1954 as in force in Sunel area on the said date.

By Order of the Governor,  
Z. S. JHALA,

Secretary to the Government.

*Published in Raj. Raj-patra Dated May 2, 1957 part IV (c) at page 34 :*

**Home Department [A]  
NOTIFICATION**

Jaipur, June 14, 1957.

No. F. 1/2 [3] H A/56.—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Whereby or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.

By Order of the Governor,  
SAMPAT MAL,  
Secretary to the Government.

SCHEDULE

No.	Laws.	Provisions.	Functions.	Existing authority Officer or person.	Corresponding authority, officer or person.
1	2	3	4	5	6
1.	The Madhya Bharat Police Act, Samvat 2007 (Madhya Bhart Act, 76 of 1950) (Samvat 2007) in force in the Sunel area.	Section 4.	-	Inspector General of Police. Dy. Inspector General of Police. District Superintendent of Police. Inspector General of Police. Dy. Inspector General of Police.	Dy. Inspector General of Police, Kota, Udaipur Range, Udaipur. District Superintendent of Police, Jhalawar
2.	The Bombay Police Act, 1951 (Bombay Act XXII of 1951) in force in the Abu area.	Section 6(1) Section 6(2)	- -	Inspector General of Police. Dy. Inspector General of Police.	Dy. Inspector General of Police having jurisdiction over Abu area. Superintendent of Police (Wireless) Jaipur.
		Section 8 A.	-	Superintendent of Police Wireless, Poona. Superintendent of Police Motor Transport, Poona. Board for prior scrutiny of Melas, Tamashas and Ras. Commandant, Assistant Commandant.	District Magistrate, Sirohi. Commandant, Assistant Commandant, R. A. C.
3.	The Ajmer Armed Constabulary Act, 1955 (Ajmer Act V of 1955) in force in the Ajmer area.	Section 33 (1) (wa) (III) Section 4 (3)	- - -	Coy. Commandant. Inspector General of Police. Dy. Inspector General of Police. Assistant Inspector General of Police.	Coy, Commander R. A. C. Dy. Inspector General of Police, Ajmer. Assistant Inspector General of Police having jurisdiction over Ajmer area.
4.	Police Act, 1861, (Central Act V of 1861) as in force in Ajmer area.	Section 4.	-		

*Published in Raj. Raj-patra Dated July 25, 1957, part 4 (c) at page 284 :*

Public Works Department (B)

### NOTIFICATION

Jaipur, July 12, 1957.

No. F. 11 [143] PW-Misc/56:—In exercise of the Powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the law referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof, the officer as the corresponding officer, who in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise all the functions exercisable under that law by the officer mentioned in column 4.

2. All references in any law or instrument having the force of law to the existing officer in column 4 shall be construed as references to the corresponding officer so specified in column 5.

3. This notification shall have effect as from the 1st day of November, 1956.

### SCHEDULE

Laws	Provision	Functions	Existing officer	Corresponding officer.
The Bombay Electricity Special Powers Act, 1946 (XX of 1946).	6C, 8A and 10		The Electric Inspector, Baroda	The Electric Inspector, Rajasthan

By Order of the Governor,  
Z. S. JHALA,

Secretary to the Government.

*Published in Raj. Raj-patra Dated January 30, 1958 part 4 (c) at page 946 :*

Excise And Taxation Department

### NOTIFICATION

Jaipur, December 30, 1957.

No. D. 8189/57/F. 5 [134]/E & T/57.—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, Officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, Officer or person mentioned in column 4.



*Published in Raj. Raj-patra Dated May 29, 1958 part IV [c] at page 327 :*

Revenue (D) Department

NOTIFICATIONS

Jaipur, February 3, 1958.

*No. D. 366/ID/F. 12 [16] Rev. D/56.*—In exercise of the powers conferred by section 122 of the States Reorganisation Act, 1956. (Central Act No. 37 of 1956), read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authority, officer or person as the corresponding authority, officer or person who or which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority, officer or person mentioned in column 4.

2. Where by or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956, by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be construed as references to the corresponding authority so specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have been entered therein.

By Order,  
R. N. HAWA,  
Secretary to the Government.

## SCHEDULE.

Laws.	Provisions,	Functions,	Existing authority, officer or person.	Corresponding authority, officer or person.
1. Bombay Land Revenue Code, 1879 (Bombay V of 1879).	All functions under the Bombay Act V of 1879 and Rules thereunder		Deputy Collector	Sub-divisional Officer, Mount Abu.
2. The Bombay Irrigation Record of Rights Rules, 1918.	Rule 5 (d)	Power to hear appeal.	—do—	—do—
3. The Bombay Non-Agriculturists' Rules, 1930.	Rule (8)	Power to sanction loan.	Special Deputy Collector.	—do—

By Order of the Governor,  
R. N. HAWA,  
Secretary to the Government.

*Published in Raj, Raj-patra Dated June 26, 1958 part IV (c) at page 546 :*

Translation in English authorised by the Governor  
Revenue (A) Department  
**NOTIFICATION**  
Jaipur, June 9, 1958.

*No. D. 4581/F. 1 (184) Rev/A/57.*—In exercise of the powers conferred under section 122 of the States Re-organization Act, 1956 (Central Act 37 of 1956) the Governor of Rajasthan has been pleased to order that the corresponding authorities in the Bombay Merged Territories and Areas (Jaipur Abolition) Act, 1953 and the Bombay Merged Territories Miscellaneous Alienation Abolition Act, 1955 and rules framed thereunder will be as follows:—

1. Collector of the District concerned for 'Collector'
2. Board of Revenue, Rajasthan, for Bombay Revenue Tribunal.
3. Tehsildar for Mamlatdar.
4. Tehsil for Taluka,

There may be treated as substituted for each other wherever these occur in the said Acts and Rules.

By Order of the Governor,  
R. N. HAWA.  
Secretary to the Government.

*Published in Raj. Raj-patra Dated July 31, 1958 part IV (c) at page 738 :*

Jaipur, June 19, 1958.

*No. F. 12 (16) Rev. D./56.*—In exercise of the powers conferred by section 122 of the States Re-organisation Act, 1956 (Central Act 37 of 1956) read with the provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf and in partial modification of the Government Notification No. F. 12 (16) Rev. D/56, dated 31-10-57 the State Government hereby specifies in column 5 thereof the authority, officer or person who or which in relation to the law mentioned in Column 1 of the said Schedule shall be competent to exercise all the functions exercisable under that law by the authority, officer or person mentioned in column 4.

*Published, in Raj. Raj-patra Dated July 14, 1958 part IV (c)*

**ORDERS.**

Jaipur, July 14, 1958.

*No. 11/58JP-S. R. O.*—In exercise of the powers conferred by section 51 (3) of the State Reorganisation Act, the Chief Justice with the approval of the Governor has directed that Order No. 19/S.R.O., dated 1-11-1956 be cancelled with effect from the fifteenth of July, 1958. The Judges and Division Courts of the High Court will, therefore, cease to sit at Jaipur from the aforesaid date.

*Published in Raj. Raj-patra Dated July 14, 1958 part IV (c)*

Jaipur, July 14, 1958.

*No. 12/58/JP-S. R. O.*—It is hereby notified that order No. 20/S. R. O.; dated 1-11-1956 authorising the Deputy Registrar of the office of the High Court at Jaipur to receive appeals and petitions relating to cases arising in the revenue districts of (1) Alwar, (2) Bharatpur, (3) Sawai Madhopur, (4) Jaipur, (5) Jhunjhunu, (6) Sikar, (7) Tonk, (8) Amer, (9) Kota, (10) Bundi and (11) Jhalawar is cancelled with effect from the afternoon of the 26th July, 1958; Filing of cases of this area may also be made at Jodhpur with effect from the 15th July, 1958 and only at Jodhpur after the 26th July, 1958.

By Order of the Hon'ble Chief Justice.

M. J. MARDIA,

Deputy Registrar,

Rajasthan High Court Bench, Jaipur.

*Notifications under*

**States Re-organisation Act, 1956.**

*Published in Raj. Raj-patra part IV (c) dated May 12, 1960 at page 13*

Finance Department "A" (Rules)

**ORDERS**

Jaipur, November 9, 1959.

*No. D. 3039/F. 1 (f) (20) F. D-A (Rules) 59.*—In exercise of the powers conferred under section 100 of the State Re-organisation Act, 1956, the Governor of Rajasthan has been pleased to order, in supersession of Ajmer Government Order No. 28/4/54, dated 24-8-54 of the former Government of Ajmer that in the case of Patwaries of the former State of Ajmer, who retire on or after 1-1-51, the services rendered by them in that State prior to above date i.e. (1-1-51) shall be treated as qualifying for the purpose of pension.

*Published in Raj. Raj-patra part IV (c) dated August 4, 1960 at page 230*

Jaipur, May 31, 1960.

*No. F. 12 (16) Rev./D/56.*—In exercise of the powers conferred to section 122 of the States Re-organisation Act, 1956 (Central Act No. 37 of 1956), read with provisions of the laws referred to in columns 1 and 2 of the Schedule hereto annexed, and all other powers enabling it in this behalf, the State Government hereby specifies in column 5 thereof the authorities which in relation to the law mentioned in column 1 of the said Schedule shall be competent to exercise the functions specified in column 3 exercisable under that law by the authority mentioned in column 4.

2. Where by or under any of the laws specified in column 1 qualifications of or in relation to any authority, officer or person are to be prescribed by the State Government by general or special order, the qualifications prescribed immediately before the 1st day of November, 1956 by or under the relevant law in respect of the corresponding authority, officer or person mentioned in column 5 shall be deemed to be, and are hereby, prescribed for or in relation to the existing authority, officer or person mentioned in column 4.

3. All references in any law or instrument having the force of law to any existing authority, officer or person in column 4 shall be constructed as reference to the corresponding authority as specified in column 5.

4. Where there is no entry in column 3 of the said Schedule, all the functions of the authority, officer or person concerned under the law referred to in column 1 shall be deemed to have entered therein.

## SCHEDULE

Laws	Provisions	Functions	Existing Authority or person	Corresponding Authority, Officer or person.
1	2	3	4	5
1. The Bombay Money Lenders Act, 1947 (Bombay Act No. XXXI of 1947) as in force in Abu area.	Section 3	—	Registrar General of Money Lenders. Registrar of Money Lenders. Asstt. Registrar of Money Lenders.	Collector, Sirohi. S.D.O., Abu. Tehsildar, Abu.

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*Rules and Notifications under*

STATISTICS (COLLECTION OF) ACT, 1953.  
( CENTRAL ACT No. 32 OF 1953 ).

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# THE INDUSTRIAL STATISTICS (LABOUR) RULES, 1954.

LABOUR DEPARTMENT.

NOTIFICATION

Jaipur, march 6, 1954.

No- F. 15 (8) Lab-/53.--In exercise of the powers conferred by sub-section (i) of section 12 of the Industrial statistic Act, 1942 (IX of 1942,) the Government of Rajasthan are pleased to make the following rules for carrying out the purpose of the Act in so far as such purposes relate to the collection of statistics relating to some of the matters specified in clause (b) of sub-section (i) of section 3 of the Act, the same having been previously published as required by sub-section (i) of section 12.

1. *Short title and commencement.*—These Rules may be called the Industrial Statistics (Labour) Rules, 1954.

*Notes.*

Sub-section (1) of section 12 of Industrial statistics Act, 1942 authorises the State Government to make rules for carrying out the purposes of the Act, section 3 of the Act authorises the State Government to direct that statistics shall be collected relating to any of the following matters, namely—

(a) any matter relating to factories,

(b) any of the following matters so far as they relate to welfare of labour and conditions of labour, namely,—

- (i) prices of commodities,
- (ii) attendance,
- (iii) living conditions, including housing, water-supply and sanitation,
- (iv) indebtedness,
- (v) rent of dwelling houses,
- (vi) wages and other earnings,
- (vii) provident and other funds provided for labour,
- (viii) living conditions, including housing, water-supply,
- (ix) hours of work,
- (x) employment and unemployment, and
- (xi) industrial and labour dispute,

Section 5 of the Act, reading as under, empowers the statistics Authority to call for returns and information.

1 The Statistics Authority may serve or cause to be served on any person a notice requiring him to furnish, at such intervals and in such form and with such particulars as may be prescribed, such information or returns relating to any matter in respect of which statistics are to be collected and to such authority or person and in such manner and at such times as may be prescribed.

(2) The notice referred in sub-section (1) may be served by post.

These rules have been framed for carrying out the purposes of the Act in so far as the same relate to the collection of the statistics in respect of the matters specified in clause (b) of sub-section 1 of section 3 of the Act.

The Industrial Statistics Act, 1942, under which these rules were framed, has been repealed by the Collection of Statistics Act, 1953 but as no new rules have so far been framed on the subject, the present rules shall be deemed to be in force.

(2) They shall come into force at once.

2. *Definitions.*—In these rules unless the context otherwise requires:—

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*These rules have been first published in Rajasthan Raj-patra dated March 27, 1954 part IV (b) at page 210:*



(a) "Act" means the Industrial Statistics Act, 1942 (XIX of 1942).

(b) "employer" means--

(i) in the case of a factory, the manager nominated under clause (f) of sub-section (i) of section 7 of the Factories Act, 1948 (LXIII of 1948);

(ii) in the case of any other industrial establishment any person responsible for the supervision, control or management of the establishment;

(c) "form" means a form set forth in the schedule annexed hereto;

(d) "industrial establishment" means--

"factory" as defined in clause (m) of section 2 of the Factories Act, 1948 (LXIII of 1948).

(e) "Quarter" means a period comprising three months ending on the 31st March, 30th June, 30th September or 31st December, and

(f) "Statistics authority" means the Officer appointed under section 4 of the Act to be Statistics Authority for the purposes of collecting statistics in respect of the matters specified in clause (b) of sub-section (i) of section 3 of the Act.

3. Service of Notice on the Employer by the Statistics Authority--

(1) The Statistics Authority shall--

(i) within two months from the date of the commencement of these rules, or

(ii) if it is not possible to do so for any unavoidable reason, as soon as possible thereafter,

serve a notice on each employer requiring him to furnish to the Statistics Authority in duplicate--

(a) Quarterly returns in the appropriate form; and

(b) Statements showing the details of revisions in wages and allowance and of periodic bonuses granted to the workers together with the conditions of eligibility to such bonuses as and when such revisions are made or bonuses granted:

Provided that the Statistics Authority shall, in the case of an Industrial establishment which is not in existence at the time of commencement of these rules, serve the said notice on the employer as soon as may be after the coming into existence of the said establishment, requiring him to furnish the said returns and statements in duplicate, to the Statistics Authority by such dates as may be specified in the notice.

(2) The Statistics Authority shall forward with the notice specified in sub-rule (i) and adequate number of forms in which the returns are to be furnished.

(3) Similar notices after the first notice may be served by the Statistics Authority at such intervals as he may decide.

4. *Furnishing of Returns by the Employer*:—(1) Every employer on whom a notice under rule 3 has been served by the Statistics Authority shall furnish to him in duplicate—

(a) the quarterly returns referred to in clause (a) of sub-rule—

(i) of rule 3 within one month after the expiry of each quarter; and

(b) the statements referred to in clause (b) of sub-rule (i) of rule 3 as and when such revisions are made or such bonuses granted;

Provided that on the representation of the employer, the Statistics Authority may if he is satisfied that sufficient grounds exist, allow him such extension of time as he may deem fit.

Provided further that where a change taken place in the management of any industrial establishment after the service of the said notice the new employer shall be responsible for the submission of the said returns and statements.

(2) The employer shall retain with himself a true copy of each return and statement submitted under sub-rule (i)

5. *Return of notice relating to an Industrial Establishment with which an employer is not connected*.—If an employer connected with an industrial establishment receives with the notice served under sub-rule (i) of rule 3 forms relating to an industry with the establishment is not connected he shall, within seven days of the receipt of the said notice, return the forms to the Statistics Authority, stating the reasons therefor and giving the names of the industry with which the establishment is connected. The Statistics Authority shall thereupon send to the employer within seven days of the receipt of such intimation, the appropriate forms for such industry together with a fresh notice, if necessary, and the employer shall thereafter furnish the returns required therein within the time limit prescribed in rule 4.

6. *Returns to be furnished in forms supplied for the purposes*.—The returns specified under rule 3 shall be furnished only in forms supplied by the Statistics Authority, but if the number of forms supplied is not sufficient the employer shall apply to the said authority for the supply of an adequate number of forms in time. If the forms applied for are not supplied by the Statistics Authority in time, the employer may make copies of the forms already supplied.

7. *Method of service of notice and furnishing of returns*.—The Statistics Authority shall serve the notice referred to in sub-rule (1) of rule 3 on the employer at his last known address by registered post or through a messenger under a cover entitled "Notice under the Industrial Statistics (Labour) Rules, 1954" and the employer shall furnish the returns and statements specified in sub-rule, (i) of rule 4 by registered post acknowledgement due, or through messenger,

under a cover entitled "Confidential>Returns under the Industrial Statistics (Labour) Rules, 1954".

8. *Information to be furnished in English*—All information required under rule 3 shall be furnished in English.

By order of  
His Highness the Rajpramukh,  
G. L. MEHTA,  
*Secretary to the Government.*

*Form of notice to be served on the employers calling for returns and statements required under the Industrial Statistics (Labour) Rules, 1954.*

From:—

(Name and address of the Statistics Authority).

To,

(Designation and address of the employer).

*Subject:—*Notice under the Industrial Statistics (Labour) Rules, 1954.

Sir,

In pursuance of sub-section (1) of section 5 of the Industrial Statistics Act, 1942, read with the Industrial Statistics (Labour) Rules, 1954, notice is hereby served on you that you should hereafter furnish to the undersigned information relating to labour employed in your establishment directly or through contractors, in the permises called (name and address of the establishment) in such forms and such manner and at such intervals as indicated below;—

(a) Quarterly returns should be submitted in the enclosed form in respect of the quarterly period ending 31st March, 30th June, 30th September and 31st December every year within a month each case after the end of the quarter to which the return relates.

(b) As and when the systems of wages and allowances are revised, detailed statements should be submitted showing the changes effected in rates of wages for various occupation, rates of dearness and other allowances and the methods of their computation giving in each case the position before the change and after the change the date, on which the change takes effect and the number of workers affected by the change.

(c) As and when a periodical bonus is declared for payment to the workers, details should be furnished regarding the rate of bonus payable per worker, the conditions of eligibility and the period to which the bonus relates.

2. Every return or statement forwarded to the undersigned as required above should be forwarded in duplicate by registered post, acknowledgement due, or through messenger under cover entitled "Confidential-Return under the Industrial Statistics (Labour) Rules, 1954" and a copy of each such return or statement should be

Industrial Statistics (Labour) Rules, 1954.

retained for your record. The returns should be furnished in the forms, twelve copies of which are enclosed for your use. When the forms are exhausted you should apply to the undersigned for a further supply of the forms in time and if for any reason, the forms applied for are not received in time, the returns may be furnished in forms copied out. If the forms supplied by the undersigned relate to a type of establishment with which you are not concerned, you should return the forms within 7 days after their receipt and apply for the appropriate forms.

3. You are requested to study carefully the enclosed forms and the instructions contained therein as soon as this notice is received with a view to taking the necessary steps for the maintenance of records in a manner which would enable filling up the forms at the proper time. If any point relating to the form or the instructions contained therein is not clear, it may be referred to the undersigned for clarification.

4. The submission of the information called for by this notice is compulsory. Your attention is invited, in this connection, to section 8 of the Industrial Statistics Act, 1942, which is reproduced below:—

“If any person required to furnish any information or any return—

(a) wilfully refuses or without lawful excuse neglect to furnish such information or return as required under this Act, or

(b) wilfully furnishes or causes to be furnished any information or return which he knows to be false, or

(c) refuses to answer or wilfully gives a false answer to any question necessary for obtaining any information required to be furnished under this Act,

or if any person impedes the right to access to relevant records and documents or the right of entry conferred by section 6, he shall for each such offence be punishable with fine which may extend to five hundred rupees and in the case of a continuing offence to a further fine which may extend to two hundred rupees for each day after the first during which the offence continues; and in respect of false information, returns or answers the offence shall be deemed to continue until true information or a true return or answer has been given or made.”

5. The information furnished by you will be treated as confidential and will not be disclosed or published in a manner which may enable identification of any particulars relating to your establishment.

Yours faithfully,  
STATISTICAL AUTHORITY.

The Industrial Statistics Act, 1942

The Industrial Statistics (Labour) Rules, 1954

(Returns under Rules 4 and 6 for the year ending

*Not to be filled by the Occupier.*

State..... Code No .....

## FACTORIES DECLARATION.

I hereby declare that the information furnished in this return is complete and correct to the best of my knowledge and belief.

Signature of the Occupier of the Factory ....

Full name and address of the Occupier who has signed  
this return (in block letters) ....

Name and address of the Factory.

1. The name of the Factory in respect of which this return is made ....
2. Industry ....
3. Using Power/Not using power (mention which is applicable) ....
4. Postal address ....  
District ....  
State ....
5. Business address of the factory ....

The Return will be treated as strictly confidential and used only for Statistical purposes.

## (FORM 'A')

Confidential

To be submitted to the Statistics Authority within one month after the close of the quarter to which the return relates.  
The Industrial Statistics Act, 1942.

The Industrial Statistics (Labour) rules, 1954.

Return for the quarter ending .....19 .

Using power ..... (Please strike out the term not applicable).

Name of the factory.....Industry.....Not using power

Postal address.....District.....State ..

Part 1—Return on Employment Attendance

Number of workers on-rolls on the last working day of the quarter (vide instruction (a)) { Men.....  
Women .....  
Children.....

Number of working days during the quarter.(vide instruction (b))..... { 1st Month of the 2nd Month of the 3rd Month of the  
the quarter. quarter. quarter.

Total Number of Man-shifts worked (vide instruction (c) during each month of the quarter. { Men  
Women  
Children  
Sickness  
Accidents  
Other causes (including  
statutory and other  
authorised level).

Total number of man-shifts lost on account of absence (vide instruction (d) during each month of the quarter due to

Total number of man-shifts lost through involuntary unemployment (vide instruction (e), during each month of the quarter.... ..

If there are any marked changes in employment, attendance, absenteeism, etc either in the month to month figures or as compared to the previous quarter, please account briefly for the changes.

\*Where the factory is engaged in more than one industry, please specify the various industries, and indicate the main industry taking into account the number of workers employed in each case.

Part II—Returns On Hours Of Work And Earnings.

The information given in this return should relate to the last month (English Calendar) of the quarter.  
Number of working days in the month... ..

	Average daily attendance during the month (vide instruction (f)).	Aggregate No. of man hours worked during the month vide instruction (g).	Total cash earnings during the month vide instruction (h).				Estimated money value of concessions in kind earned during the month (vide instruction (j)).
			Basic Wage	Dearness Allowance	Overtime payments	Other cash payments (vide instruction (i)).	
						Total	

Men.

Women.

Children.

Normal hours of work:

1st Shift:—From... .. to... ..	From... .. to... ..	Rest Intervals.
2nd Shift:—From... .. to... ..	From... .. to... ..	
3rd Shift:—From... .. to... ..	From... .. to... ..	

Please give reference to statements regarding revisions in basic wages, allowances, etc., sent during the quarter, if any in accordance with clause (b) of sub rule (1) of rule 4.

Please furnish details regarding the scheme of dearness allowance, bonuses etc. and if the dearness allowance is linked to the cost of living index indicate how the amount is calculated...

Please give in the space provided below a distribution of the number of workers on rolls at the end of the month according to the wage period (e.g. week fortnight, or any other period) adopted for payment in each case.

Wage period (please specify)	No. of workers.	Certified that the information given above is correct.		
" " " "	" " "	Signature...	" "	" "
" " " "	" " "	Name (in block letters)...	" "	" "
" " " "	" " "	Designation (in block letters)...	" "	" "

## INSTRUCTIONS.

(a) Workers (should include all workers as defined in section 2 (1) of the Factories Act, 1948. Considering the Statistical use of the data furnished in these returns, the figures should relate to workers exclusive of clerical and supervisory staff. The figures in respect of clerical and supervisory staff, may be shown separately in these returns if available.

Workers below 15 years of age should be classified as children. Workers who have completed the 15th year but have not completed the 18th year, if not certified as adults should also be included under children. Casual Labour should not be included in Part I of the return, but should be covered in Part II of the return).

(b) "Working days" exclude all weekly and other scheduled holidays even if some of the workers or some of the departments are required to work either full time or part of the time on such days unless a majority of the workers in the establishment are working on such day.

(c) Total number of man-shifts worked during the month is obtained by adding together the numbers of workers who worked on each shift on each day of the month.

(d) Total number of man-shifts lost during the month on account of absence is obtained by adding together the number of workers absent on each shift on each day during the month. Man-shifts lost by absence due to strike, lock-out or employer-ordered lay-off should be excluded.

(e) Total number of man-shifts lost through involuntary unemployment is obtained by adding together the number of workers who in spite of being on rolls, remained unemployed for want of coal or raw-materials, break down of machinery, inadequacy of work etc., on each shift on each working day of the month.

(f) Average daily attendance is obtained by dividing the aggregate number of attendance on all the shifts on all days during the period by the number of working days. Absences in hours need not be considered. Days on which the establishment was closed for whatever cause should not be treated as working day.

(g) Aggregate number of man-hours worked during the period is obtained by adding together the numbers of man-hours worked on all shifts on all working days. The number of man-hours worked on each shift is obtained by adding together the number of hours worked by each worker on that shift.

(h) Please include all cash payments, deductions under the Payment of Wages Act, 1936, and taxes payable and deducted, if any. Contributions to provident funds, pensions etc., should not be included. The figures should relate to wages, etc., earned during the month.



(i) This should include other cash allowances, bonuses etc., if any earned during the month. Annual bonuses etc., should be excluded even if they are paid during the month.

(j) This should be worked out by taking into consideration the differences between the wholesale prices of the articles such as foodgrains, cloth, fuel, etc., which are supplied free to workers or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniform supplied to workers while on work and the cost of amenities provided such as housing, medical aid, etc., should not however, be included.

# T H E CENSUS OF MANUFACTURING INDUSTRIES RULES, 1951.

Department of Commerce and Industries.

## NOTIFICATION.

Jaipur; December 22, 1951.

No. F. 25 (13) C. I. (B)/51.—In exercise of the powers conferred on them by section 12 (i) of the Industrial Statistics Act, 1942 (XIX of 1942), the Government of Rajasthan is pleased to make the following Rules for the census of manufacturing industries after having published the Draft of these Rules for public comments in the Extraordinary issue of the Rajasthan, Raj-Patra Part III, No. 64, of the 5th July, 1951.

By Order of  
His Highness the Rajpramukh,  
CHANDRA PAL SINGH,  
Secretary to the Government

1. (1) These rules may be called the Census of Manufacturing Industries Rules, 1951.

(2) They shall come into force at once.

### Notes.

Sub-section (1) of section 12 of Industrial statistics Act, 1942 authorises the State Government to make rules for carrying out the purposes of the Act, section 3 of the Act authorises the State Government to direct that statistics shall be collected relating to the following matters, namely:—

(a) any matter relating to factories,

Section 5 of the Act, reading as under, empowers the statistics Authority to call for returns and information.

1 The Statistics Authority may serve or cause to be served on any person a notice requiring him to furnish, at such intervals and in such form and with such particulars as may be prescribed, such information or returns relating to any matter in respect of which statistics are to be collected and to such authority or person and in such manner and at such times as may be prescribed.

(2) The notice referred in sub-section (1) may be served by post.

These rules have been framed for carrying out the purposes of the Act in so far as the same relate to the collection of statistics in respect of manufacturing industries as required in clause (a) of sub-section 1 of section 3 of the Act.

The Industrial Statistics Act, 1942, under which these rules were framed, has been repealed by the Collection of Statistics Act, 1953 but as no new rules have so far been framed on the subject, the present rules shall be deemed to be in force.

2. In these rules, unless there is anything repugnant in the subject or context.—

(a) "Act" means the Industrial Statistics Act, 1942.

(b) "Company" means an incorporated company wheresoever incorporated.

(c) "Factory" means a factory as defined in clause (m) of section 2 of the Factories Act, 1948.

(d) "Form" means a form set forth in Schedule II appended to these rules.

- (e) "Manufacturing process" means manufacturing process as defined in clause (k) of section 2 of the Factories Act, 1948.
- (f) "Occupier" means the occupier of a factory as defined in clause (n) of section 2 of the Factories Act, 1948.
- (g) "Schedule" means schedule appended to these rules.
- (h) "Section" means a section of the Act.
- (i) "Statistics Authority" means the Statistics Authority appointed by the Government of Rajasthan under section 4.

3. (1) The Statistics Authority shall before the end of December or, in the case of a factory engaged in the sugar industry, before the end of June in each year, serve on the occupier of each factory which is engaged in an industry specified in Schedule I or which having previously been so engaged, has temporarily suspended manufacturing processes, a notice requiring him to furnish to the Statistics Authority.

(a) a return, in duplicate in the form appropriate to the industry in which the factory is or has been engaged, relating to the next following calendar year or, in the case of a factory engaged in the sugar industry, the next following annual period commencing with the 1st July and ending with the 30th June, and

(b) if the factory is owned by a company, two copies each of the annual balance-sheet and profit and loss account, and of the directors' report, if any, for the period to which the return relates, if the company's accounting year coincides with this period, otherwise for the period for which the accounts of the company were last closed;

and if any factory, which was not in existence or was not engaged in any such industry in December or, in the case of sugar industry, in June, in any year engages or is about to engage in any such industry during the next following calendar year or, in the case of sugar industry, during the next following annual period as aforesaid, or, if any factory required to be served with a notice under this rule is, for any reason, not served with the notice within time, the Statistics Authority should serve such notice on the occupier of such factory as soon as may be, and thereupon the provision of this sub-rule shall apply as if the period to which the return related were the whole of the calendar year or annual period, as the case may be, unless the factory was not engaged in the industry during any portion thereof.

(2) If the occupier of any factory on whom a notice has been served under sub-rule (1) (hereinafter called the first occupier), at any time during the period to which the return required to be furnished under such notice relates, ceases to be the occupier of the factory, and some other person (hereinafter called the second occupier) becomes the occupier thereof the first occupier shall immediately on ceasing to be the occupier inform the Statistics Authority of

the change of occupancy and the name and address of the second occupier, and the Statistics Authority shall, as soon as may be serve on the second occupier a notice requiring him to furnish to the Statistics Authority—

- (a) a return in duplicate in the form appropriate to the industry in which the factory is engaged relating to that part of the said period during which the second occupier is the occupier of the factory, and
- (b) if after the change of occupancy the factory is owned by a company, two copies of each of the documents which may be required to be furnished under clause (b) of sub-rule (1).

(3) If the occupancy of a factory changes more than once during the period to which the return required to be furnished under a notice served on the occupier thereof under sub-rule (1) relates, the provisions of sub-rule (2) shall apply on each occasion as if the outgoing occupier were the first occupier and the incoming occupier were the second occupier.

4. (1) Any occupier of a factory on whom a notice has been served under rule 3 shall furnish the return and documents as required thereunder so as to reach the Statistics Authority not later than two months after the expiry of the period to which the return relates:

Provided that—

- (i) any such occupier, who at any time during the period to which the return required to be furnished under the notice relates, ceases to be the occupier of the factory, shall furnish a return and documents as aforesaid relating to that part of the said period during which he was the occupier of the factory so as to reach the Statistics Authority not later than two months after his ceasing to be the occupier ;
- (ii) if any factory, on the occupier of which a notice has been served under rule 3, is dismantled or otherwise ceases to be a factory at any time during the period to which the return required to be furnished under the notice relates, the occupier shall furnish a return and documents as aforesaid relating to that part of the said period during which the factory was in existence so as to reach the Statistics Authority not later than two months after the factory ceased to exist ; and
- (iii) in the case of a factory owned by a company whose accounting year coincides with the period to which the return relates, the documents referred to in clause (b) of sub-rule (1) of rule 3 may be sent, separately from the return, not later than four months after the expiry of the period to which the return relates.

(2) If on representation being received from an occupier before the date on which the return and documents are required to be furnished under this rule, the Statistics Authority is satisfied that there is sufficient reason for so doing, the Statistics Authority may —

- (a) allow an extension of time for submission of the return upto one month beyond the said date ;
- (b) in the case of a factory owned by a company, allow, apart from the provisions of proviso (iii) to sub-rule (1), copies of the Balancesheet, and Profit and Loss account and of the directors' report, if any, to be submitted separately from the return by such date as he may specify.

5. The occupier of a factory shall, when required to do so by the Statistics Authority, furnish, by such time as the Statistics Authority may prescribe, any further information in explanation of the particulars entered by him in the return submitted by him under rule 4.

6. (1) The Statistics Authority shall forward with the notices referred to in sub-rules (1) and (2) of rule 3, three copies of the form in which the occupier on whom the notice is served is required to furnish a return. Two copies of the form shall be used for the purpose of submission of the return as required by rule 4, and on the third copy the occupier shall retain an exact copy of the return submitted by him.

(2) If the occupier of any factory receives with a notice served on him under rule 3 copies of a form which is not appropriate to the industry in which the factory is or has been engaged, he shall within seven days of the receipt of the said notice intimate to the Statistics Authority the industry in which in his opinion the factory is engaged, the principal products of the factory and the anticipated approximate value of each such product during the period for which the return is required; and upon the receipt of such information, whether within time or not, the Statistics Authority shall determine the industry in which the factory is engaged and, if it is an industry specified in schedule I, shall as soon as may be after the receipt of such intimation serve upon the occupier a notice requiring him to furnish a return and documents as provided for in rule 3 in relation to that industry, forwarding therewith three copies of the form appropriate to that industry, and the provisions of these rules shall apply and the occupier shall furnish a return as if the fresh notice were the original notice and had been received on the date on which the original notice was received.

(3) If any factory on the occupier of which a notice has been served under rule 3 at any time subsequent to such service becomes engaged in a different industry from that in which it was previously engaged, the occupier shall within seven days of the factory becoming so engaged, intimate to the Statistics Authority the industry in

which in his opinion the factory will thenceforth be engaged, the principal products of the factory and the anticipated approximate value of each such product during the entire period for which the return is required; and upon the receipt of such intimation, whether within time or not, the Statistics Authority shall, after making such further enquiries as he may consider necessary, determine the industry in which the factory is engaged and, if it is an industry specified in Schedule I, shall, as soon as may be, serve upon the occupier a notice requiring him to furnish a return and documents as provided for in rule 3 in relation to the industry, forwarding therewith three copies of the form appropriate to that industry, and the provisions of these rules shall apply and the occupier shall furnish a return as if the fresh notice were the original notice and had been received on the date on which the original notice was received.

7. (1) Any notice required to be served and any return required to be furnished under these rules shall be served or furnished, as the case may be, by transmission through the post under registered cover with acknowledgment due, and on the outside of any cover —

- (a) containing a notice, the Statistics Authority shall cause to be written prominently the words "Notice under the Census of Manufacturing Industries Rules, 1951" ;
- (b) containing a return or other documents required to be furnished by an occupier, the occupier shall cause to be written prominently the words "Confidential—Return under the Census of Manufacturing Industries Rules, 1951".

(2) Any notice required to be served on the occupier of a factory under these rules may be served—

- (a) when the occupier is a corporation or firm, on any director or other principal officer of the corporation or on any member of the firm or by addressing the same in the name of the corporation or firm at its registered office or the place where it carries on business in India ;
- (b) when the occupier is a person (not being a corporation or firm), on the person at the usual or the last known place of abode or business of such person ;

and such service shall be deemed to be good service as against the corporation, all partners of the firm or as against the person, as the case may be.

8. All information required to be furnished under these rules shall be furnished in English.

#### SCHEDULE 1. LIST OF INDUSTRIES

1. Wheat flour.
2. Rice milling.
3. Biscuit making (including bakeries and confectionaries).

4. Fruit and vegetable processing.
5. Sugar.
6. Distilleries and breweries (including power alcohol manufacturing).
7. Starch.
8. Vegetable oils—oilseed crushing, and extraction and processing of vegetable oils.
9. Paints and varnishes.
10. Soap.
11. Tanning.
12. Cement.
13. Glass and glassware.
14. Ceramics.
15. Plywood and tea chests.
16. Paper and paperboard (including strawboard)
17. Matches.
18. Cotton textiles—spinning and weaving
19. Woollen textiles.
20. Jute textiles.
21. Chemicals including drugs pharmaceuticals.
22. Aluminiums copper and brass—all processes from ore smelting to manufacture of final products ready for use.
23. Iron and Steel—smelting (including blast furnace operations) rolling and re-rolling.
24. Bicycles.
25. Sewing machines
26. Producer gas plants
27. Electric lamps.
28. Electric fans.
29. General Engineering and Electrical Engineering (excluding generation and transformation of electrical energy).
30. Footwear and leather manufactures.
31. Rubber and Rubber manufactures (including rubber substitutes).
32. Enamelware.
33. Hume pipes and other cement and concrete products (including reinforced products).
34. Asbestos and asbestos cement products.
35. Bricks, tiles, lime and surkhi manufacturing).
36. Lac.
37. Turpentine and Rosin.
38. Plastics (including manufacture of gramophone records).
39. Petroleum refining.
40. Saw milling.
41. Woodware (including furniture manufacturing).
42. Tea manufacturing.
43. Tobacco products.

44. Groundnut decorticoating, cashew-nut processing and dal manufacturing.
45. Printing (including lithographing) and book-binding.
46. Webbing, narrow fabrics, embroidery and lace manufacturing.
47. Hosiery and other knitted goods.
48. Thread and thread ball making.
49. Textiles, dyeing bleaching, finishing and processing (including mercerising, finishing, calendering, glazing, proofing, etc.)
50. Clothing and tailoring.
51. Cotton ginning and pressing.
52. Rope making
53. Silk and artificial silk.
54. Jute pressing.
55. Electricity generation and transformation.
56. Automobiles and coach building.
57. Ship building and ship repairs (including ship yards and dock-yards).
58. Railway workshops, repairshops and locomotive shops.
- 59.
60. Aircraft assembling, repairs and servicing.
61. Railway wagon manufacturing.
62. Textile machinery and accessories (bobbins, shuttles, heads, reeds, pickers, etc.)
63. Unspecified industries.

## SCHEDULE II. List of Forms.

<i>Number of Forms.</i>	<i>Name of Industry to which Form relates,</i>
C.M.I.— (1)	Wheat flour.
C.M.I.— (2)	Rice milling.
C.M.I.— (3)	Biscuit making (including bakeries and confectioneries).
C.M.I.— (4)	Fruit and vegetable processing.
C.M.I.— (5)	Sugar.
C.M.I.— (6)	Distilleries and breweries (including power alcohol manufacturing.)
C.M.I.— (7)	Starch
C.M.I.— (8)	Vegetable oils—oil seed crushing and extraction and processing of vegetable oils.
C.M.I.— (9)	Paints and varnishes.
C.M.I.— (10)	Soap.
C.M.I.— (11)	Tanning.
C.M.I.— (12)	Cement.
C.M.I.— (13)	Glass and glassware
C.M.I.— (14)	Ceramics.
C.M.I.— (15)	Plywood and tea-chests.



- C.M.I.—(16) Paper and paper board (including strawboard).  
 C.M.I.—(17) Matches.  
 C.M.I.—(18) Cotton textiles spinning and weaving.  
 C.M.I.—(19) Woollen textiles.  
 C.M.I.—(20) Jute textiles.  
 C.M.I.—(21) Chemicals, including drugs and pharmaceuticals.  
 C.M.I.—(22) Aluminium, copper and brass—all processes from ore smelting to manufacture of final products ready for use.  
 C.M.I.—(23) Iron and Steel smelting (including blast furnace operations), rolling and re-rolling.  
 C.M.I.—(24) Bicycles.  
 C.M.I.—(25) Sewing machines.  
 C.M.I.—(26) Producer gas plants.  
 C.M.I.—(27) Electric lamps.  
 C.M.I.—(28) Electric fans.  
 C.M.I.—(29) General Engineering and Electrical Engineering, (excluding generation and transformation of electrical energy).  
 C.M.I.—(30) Footwear and leather manufactures.  
 C.M.I.—(31) Rubber and Rubber manufactures (including rubber substitutes).  
 C.M.I.—(32) Enamelware.  
 C.M.I.—(33) Hume pipes and other cement and concrete products (including reinforced products).  
 C.M.I.—(34) Asbestos and asbestos cement products.  
 C.M.I.—(35) Bricks, tiles, lime and surkhi manufacturing.  
 C.M.I.—(36) Lac.  
 C.M.I.—(37) Turpentine and Rosin.  
 C.M.I.—(38) Plastics (including manufacture of gramophone records).  
 C.M.I.—(39) Petroleum refining.  
 C.M.I.—(40) Saw milling.  
 C.M.I.—(41) Woodware (including furniture manufacturing).  
 C.M.I.—(42) Tea manufacturing.  
 C.M.I.—(43) Tobacco products.  
 C.M.I.—(44) Groundnut decorticating, cashew-nut processing and dal manufacturing.  
 C.M.I.—(45) Printing (including lithographing) and book binding.  
 C.M.I.—(46) Webbing, narrow fabrics, embroidery and lace manufacturing.  
 C.M.I.—(47) Hosiery and other knitted goods.  
 C.M.I.—(48) Thread and thread ball making.  
 C.M.I.—(49) Textiles, dyeing, bleaching, finishing and processing (including mercerising, finishing, calendering, glazing, proofing, etc).

C.M.I.--(50)	Clothing and tailoring.
C.M.I.--(51)	Cotton ginning and pressing.
C.M.I.--(52)	Rope making.
C.M.I.--(53)	Silk and artificial silk.
C.M.I.--(54)	Jute pressing.
C.M.I.--(55)	Electricity generation and transformation.
C.M.I.--(56)	Automobiles and coach-building.
C.M.I.--(57)	Ship building and ship repairs (including ship-yards and dock-yards).
C.M.I.--(58)	Railway workshop, repairshops, and locomotive shops.
C.M.I.--(59)	
C.M.I.--(60)	Aircraft assembling, repairs and servicing.
C.M.I.--(61)	Railway wagon manufacturing.
C.M.I.--(62)	Textile machinery and accessories (bobbins, shuttles, healds, reeds, pickers, etc.)
C.M.I.--(63)	Unspecified industries.

*Notifications under,*

## **INDUSTRIAL STATISTICS ACT, 1942.**

*Published in Rajasthan Raj-patra Vol. I No. 43 part. I at page 345:*

Jaipur, August 4, 1950.

*No.. 1514/Lab/(iii)*—In exercise of the powers conferred by Section 4 of the Industrial Statistics Act 1942 of the Central Legislation as adapted by the Rajasthan Adaption of Central Laws Ordinance 1950, the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan by virtue of his office to be the Statistics Authority for the purposes of collecting statistics relating to labour in Rajasthan.

*Published in Raj. Raj-patra Vol. II No. 34 part II (a) at page 258 :*

Department Of Commerce And Industries.

### **NOTIFICATION.**

Jaipur, May 18, 1950.

*No, F. 4. (4) CI-A./50*—In exercise of powers conferred by section 4 of the Industrial Statistics Act, 1942, as adapted in Rajasthan with effect from the 24th January, 1950, the Government of Rajasthan is pleased to appoint the Director or Industries and Commerce as Statistical Authority for the whole of Rajasthan.

By Order

of H. H. the Raj Pramukh,

R. N. DEY,

Secretary to the Government  
of Rajasthan,

Department of Commerce and Industries.

*Published in Rajasthan Raj-patra Vol. 2 No. 73 part I at page 566 :*

Commerce & Industries Department 'A'.

### **NOTIFICATION.**

Jaipur, August 22, 1950.

*No. F-4 (4) C & I(A)/50.*—In exercise of the powers conferred by sub-section (i) of section 3 of the Industrial Statistics Act, 1942 (XIX of 1942), as adapted to Rajasthan, the Government of Rajasthan is pleased to direct that statistics shall be collected pertaining to any matter relating to factories referred to in clause (a) of the said sub-section.

By Order of His Highness

the Raj Pramukh,

R. N. DEY,

Secretary to the Government of Rajasthan.

*Published in Rajasthan Raj patra Vol. IV No. 136 page 738 :*

Commerce & Industries Deptt.

NOTIFICATION.

Jaipur, October 14, 1952.

No. F. 25 (13) C.I.(B)51.—In exercise of the power conferred by sub-section (3) of section 1 of the Industrial Statistics Act, 1942 (XIX of 1942), the Government of Rajasthan is pleased to appoint the 16th October, 1952 as the date on which the said Act shall come into force in the State of Rajasthan.

By Order of  
His Highness the Rajpramukh,  
CHANDRAPAL SINGH.  
Secretary to the Government.

*Notifications under*

**Collection of Statistics Act, 1953**

*Published in Raj. Raj-patra part IV (c) dated July 30, 1959 at page 409*

**Agriculture Department**

**NOTIFICATION**

**Jaipur, April 2, 1959.**

**No. D. 1598/F. 27 (12) Agr./57.**—In exercise of the powers conferred by sections 3 and 4 of the Collection of Statistics Act, 1953 (Central Act No. 32 of 1953), the Government of Rajasthan hereby—

(1) directs that statistics shall be collected in respect of stocks existing on the 31st August every year, of cotton pressed or unpressed and kapas including foreign or waste cotton, separately classified by varieties, held by any cotton industry or by any industrial or commercial concern dealing with cotton including Ginning and Pressing Factories but not textile mills, and

(2) appoints all officers of the Agriculture Department not below the rank of the District Agricultural Officer, Cotton Supervisor and Cotton Inspector to be Statistics Authorities for the purpose of collecting statistics hereby directed to be collected.

By Order of the Governor,  
**KHEM CHAND,**  
Secretary to the Government.

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*Rules and Notifications under*

SUB-GRANTS RESUMPTION VALIDATION ACT, 1959  
(RAJ. ACT No. 41 OF 1959).

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# The Rajasthan Sub-Grants Resumption Validation Rules, 1960.

Jaipur, February 17, 1960.

No.F.4(365)Rev./A/55.—In exercise of the powers Conferred by section 5 of the Rajasthan Sub-Grants Resumption Validation Act, 1959(Rajasthan Act No. 41 of 1959), the State Government does hereby make the following rules namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Sub-grants Resumption Validation Rules, 1960.

(2) They shall come into force at once.

## Notes

The Rajasthan Sub-Grants Resumption Validation Act, 1959 has been enacted with a view to validate the resumption of Sub-Grants in certain cases and to provide for the award and Payment of compensation and rehabilitation grant to the holders thereof. Section 5 of the Act authorises the State government to make rules for the purposes of carrying into effect the provisions of the Act. Section 4 of the Act, reading as under, Provides for the award and payment of compensation to the holders of sub-grants:—

4. *Award and payment of compensation.*—(1) Notwithstanding that compensation, with or without rehabilitation grant, in respect of a sub-grant to which the provisions of this Act apply, shall have been awarded, and is being paid, to the principal jagirdar, every holder of such sub-grant shall be awarded compensation, accompanied with or without rehabilitation grant, calculated in accordance with the provisions of the Resumption Act, and the amount thereof shall be paid to him in the manner laid down in sub-section (2).

(2) The Jagir Commissioner shall determine the amount of compensation, accompanied with or without rehabilitation grant, payable to such sub-grantee under and in accordance with the provisions of the Resumption Act as if the resumption of his sub-grant had taken place on the date on which it was actually resumed. The amount so determined shall be paid partly out of the compensation to be paid or being paid to his principal Jagirdar and partly by the State Government in the prescribed manner.

These rules Prescribe the matters as required under Section 4 of the Act.

2. *Interpretation.*—In these rules, unless there is anything repugnant in the subject or context:—

(i) 'The Act' shall mean the Rajasthan Sub-Grants Resumption Validation Act, 1959;

(ii) 'Form' shall mean a form appended to the Resumption Rules;

(iii) 'Resumption Act' shall mean the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act No. VI of 1952);

(iv) 'Resumption Rules' shall mean —

(a) the Rajasthan Land Reforms and Resumption of Jagirs Rules, 1954, and

(b) the Rajasthan Land Reforms and Resumption of Jagirs (Compensation and Rehabilitation Bond) Rules, 1956.

3. *Submission of claim.*—Every holder of a chakrana muafi sub-grant to which the provisions of the Act apply shall, within two months from the date of commencement of these rules, file, in form No. 5 or 5A, a statement of claim for compensation and rehabilitation grant, before the Jagir Commissioner, in accordance with the provisions of the Resumption Act and the Resumption Rules:

Provided that the Jagir Commissioner may entertain a statement submitted after the period prescribed in this rule if he is satisfied that such holder was prevented by sufficient cause from submitting the statement within the prescribed time.

4. *Provisions of Resumption Rules to apply.*—The provisions of the Resumption Rules shall, *mutatis mutandis*, apply to the inquiry into, and the determination of, claims for compensation and rehabilitation grant filed by the holders of chakrana muafi sub-grants to which the provisions of the Act apply.

5. *Inquiry and determination of compensation and rehabilitation grant.*—(1) After the inquiry referred to in the preceding rule has been completed, the Jagir Commissioner shall determine, in accordance with the provisions of sub-section (2) of section 4 of the Act—

(a) the total amount of compensation and rehabilitation grant payable to the holder of the chakrana muafi sub-grant; and

(b) the amount of compensation and rehabilitation grant to which the principal jagirdar would have been entitled, if the chakrana muafi sub-grant had not been considered a part of his jagir lands and also the amount paid to the jagirdar in excess of such compensation and rehabilitation grant.

(2) The total amount of compensation and rehabilitation grant finally determined as payable to the holder of the chakrana muafi sub-grant shall be paid by the Government in accordance with the provisions of the Resumption Act and the Resumption Rules.

6. *Notice to, and recovery, from, principal jagirdar.*—(1) A notice shall be issued to the principal jagirdar calling upon him to refund the excess amount referred to in clause (b) of sub-rule (1) of rule 5 within a period of one month, failing which the amount would be recovered from him as an arrear of land revenue.

(2) If the principal jagirdar fails to comply with the notice and to refund the amount within the period of one month, action shall be taken to recover it from him as an arrear of land revenue.



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*Rules and Notifications under*

SUCCESSION ACT, 1925  
( CENTRAL ACT No. 39 OF 1925 ).

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*Rules under,*

## **INDIAN SUCCESSION ACT, 1925.**

The High court of Judicature for Rajasthan framed rules in exercise of powers conferred under section ... ..of the Indian Succession Act, 1925. Those rules have been incorporated by the High court in the rules, namely High Court (General) Rules, 1952 framed by it under Article..... ..of Constitution of India.

*Notifications under*

## INDIAN SUCCESSION ACT, 1925.

*Published in Raj. Raj-patra Vol. No. 4 part 11 at page 854 :*

Rajasthan High Court, Jodhpur.

### NOTIFICATION.

Jodhpur, August 23, 1952.

*No. 29/Gen.*—In exercise of the powers conferred by section 265 of the Indian Succession Act, 1925 (No. XXXIX of 1925) all Civil and Additional Sessions Judges in Rajasthan, are hereby appointed as District Delegates within the local limits of their Jurisdiction.

By Order,  
M. L. RAZDAN,  
Registrar.

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*Rules and Notifications under*

SUITS VALUATION ACT, 1887.  
[ CENTRAL ACT No. 7 OF 1887 ]

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# RAJASTHAN SUITS VALUATION RULES, 1955

*Jaipur, August 17, 1955.*

No. F. 4 (2) Jud./55.—In exercise of the powers conferred by section 3 of the Suits Valuation Act, 1887 (VII of 1887) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to make the following rules, namely:—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Suits Valuation Rules, 1955.

(2) They extend to the whole of Rajasthan.

(3) They shall come into force on the expiration of one month after their publication in the Rajasthan Gazette.

## *Notes*

Section 3 of the Suits Valuation Act, 1887 (Central Act No. VII of 1887) empowers the State Government to make rules for the valuation of suits for the purpose of jurisdiction in certain cases. The enabling section reads as under:—

(1) The Provincial Government may make rules for determining the value of land for purposes of jurisdiction in the suits mentioned in the Court-fees Act, 1870, section 7, paragraphs V and VI, and paragraph X, clause (d).

(2) The rules may determine the value of any class of land, or of any interest in land, in the whole or any part of a local area, and may prescribe different values for different places within the same local area.

2. *Definitions*—In these rules, unless the context otherwise requires:—

(a) “estate” means any land subject to payment of revenue, for which the landlord or occupier shall have executed a separate engagement in favour of the Government or which, in the absence of such engagement, shall have been separately assessed to revenue; and

(b) “Government” means the Government of Rajasthan.

3. *Suits for possession of land.*—In suits for possession of land mentioned in paragraph (v) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be deemed to be as follows:—

(a) where the land forms an entire estate or a definite share of an estate paying annual revenue or rent to the Government or forms part of such an estate and is recorded in the revenue records as separately assessed to such revenue or rent, twenty times the revenue or rent so payable;

(b) where the land pays no such revenue or rent or has been partially exempted from such payment, or is charged

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*These rules have been first published in Rajasthan Raj-patra dated Sept. 17, 1955, in Part IV (c) at page 347.*

with any fixed payment in lieu of such revenue or rent and net profits have arisen from the land during the year next before the date of presenting the plaint-fifteen times such net profits; but where no such net profits have arisen therefrom the amount at which the court shall estimate the land with reference to the value of similar land in the neighbourhood;

- (c) where the land forms part of an estate paying revenue or rent to the Government but is not a definite share of such estate and is not separately assessed as aforesaid, the market value of the land.

#### Notes

Section 7 of the Court Fees Act, 1870 requires that the amount of court fees payable under the Act in the suits for possession of land shall be computed according to the value of subject matter. This rule prescribes the procedure for determination of the value of land for the purposes of jurisdiction.

4. *Suits to enforce a right of preemption.*—In suits to enforce the right of preemption mentioned in paragraph (vi) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed in accordance with rule 3.

#### Notes

Section 7 of the Court Fees Act, 1870 provides that the amount of court fees payable under the Act in the suits for enforcing a right for pre-emption shall be according to the value of land in respect of which the right is claimed. The value of the land for these purposes shall also be determined in accordance with rule 3.

5. *Suits for specific performance of an award relating to land.*—In suits for specific performance of an award relating to land, mentioned in clause (d) of paragraph (x) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed, in accordance with rule 3.

#### Notes

Section 7 of the Court Fees Act, 1870 requires that court fees payable under the Act in the suits for specific performance of an award relating to land shall be determined according to amount or value of the property in dispute. The value for the purposes of these suits shall, also, therefore be determined in accordance with the provisions of rule 3.

By Order of  
His Highness the Rajpramukh,  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

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*Rules and Notifications under*

RAJ. SUITS VALUATION ACT, 1958.

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# Rajasthan Suits Valuation Rules, 1959.

English Translation

(Authorised by the Governor)

Law and Judicial (B) Department

## NOTIFICATION

*Jaipur, October 29, 1959.*

No. F. 4 (3)-LJ/B/59.—In exercise of the powers conferred by section 2 of the Rajasthan Suits Valuation Act, 1959 (Act No. 3 of 1959) the State Government in consultation with the High Court, hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Suits Valuation Rules, 1959.

(2) They extend to the whole of the State of Rajasthan.

(3) They shall come into force on the expiration of one month after their publication in the official Gazette.

### Notes.

The Rajasthan Suits Valuation Act, 1959 has been enacted with a view to prescribe the mode of valuing certain suits for the purpose of determining the Jurisdiction of courts with respect thereto. Section 2 of this Act, reading as under, authorises the State Government to make rules for determining value of land for jurisdiction purposes.

The State Government may, in consultation with the High Court, make rules determining the value of land for purposes of jurisdiction in respect of suits mentioned in paragraph v, in paragraph vi and in clause (d) of paragraph x of section 7 of the Court Fees Act, 1870, of the Central Legislature as adapted to the State of Rajasthan.

(2) Such rules may determine the value of any class of land, or of any interest in land in the whole or any part of a local area and may prescribe different values for different places within the same local area.

This value is required to be determined in respect of suits mentioned in paragraphs (v) and (vi) and clause (d) of paragraph (x) of section 7 of the Court Fees Act, 1870.

Section 7 of the Court Fees Act 1870 requires that the amount of fee payable under the Act for suits mentioned in the Act shall be computed as follows:—

(a) where the land forms an entire estate, or a definite share of an estate, paying revenue to Government,

or forms part of such an estate and is recorded in the Collector's register as separately assessed with such revenue,

and such revenue is permanently settled—

ten times the revenue payable :



(b) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government, or forms part of such estate and is recorded as aforesaid; and such revenue is settled, but not permanently—five times the revenue so payable :

(c) where the land pays no such revenue, or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue, and net profits have arisen from the land during the year next before the date of presenting the plaint—

fifteen times such net profits :

but where no such net profits have arisen therefrom—the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood :

(d) where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as above-mentioned—the market-value of the land :

(vi) In suits to enforce a right of pre-emption—according to the value computed in accordance with paragraph (v) of the section) of the land, house or garden in respect of which the right is claimed :

(x) In suits for specific performance-(a) of a contract of sale—according to the amount of the consideration :

(b) of contract of mortgage—according to the amount agreed to be secured :

(c) or a contract of lease—according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term;

(d) of an award—according to the amount or value of the property in dispute;

The present rules have been framed for putting into effect the requirements of section 2 of the Rajasthan Suits valuation Act, 1958.

The previous Rules on the subject published in volume VIII of Rajasthan Rules compendium Stand repealed.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(1) “estate” means any land subject to payment of revenue, for which the landlord or tenant or occupier shall have executed a separate engagement in favour of the Government or which, in the absence of such engagement, shall have been separately assessed to revenue; and

(2) “Government” means the Government of Rajasthan.

3. *Suits for possession of land buildings and gardens.*—In suits for possession of land mentioned in paragraph (V) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan the value of the land for purposes of Jurisdiction shall be deemed to be as follows:—

(a) Where the land forms an entire estate or a definite share of an estate paying annual revenue or rent to the Government or forms part of such an estate and is recorded in the revenue records as separately assessed to such revenue or rent—twenty times the revenue or rent so payable;

(b) Where the land pays no such revenue or rent or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue or rent—twenty times the revenue or rent of similar land in the neighbourhood.

(c) Where the land forms part of an estate paying revenue or rent to the Government, but is not a definite share of such estate and is not separately assessed as aforesaid—twenty times the proportionate revenue or rent of the estate.

(d) Where there is a building or a garden on the land—the aggregate of the value of the land as determined in accordance with these rules, plus the market value of such building or garden situated thereon.

4. *Suits to enforce a Right of pre-emption.*—In suits to enforce the right of pre-emption mentioned in paragraph (vi) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed in accordance with rule 3.

5. *Suits for specific performance of an award relating to land.*—In suits for specific performance of an award relating to land, mentioned in clause (d) of paragraph (x) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed in accordance with rule 3.

6. *Repeal*—The Rajasthan Suits Valuation Rules, 1955 of the pre-Reorganisation State of Rajasthan made under the Suits Valuation Act, 1887 (Central Act VII of 1887) as adapted to that State by Rajasthan Ordinance No. IV of 1950, and the corresponding rules in force in the Abu, Ajmer and Sunel areas are repealed.

By Order of the Governor,  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

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*Rules and Notifications under*

SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN &  
GIRLS ACT, 1956.

( CENTRAL ACT No. 104 OF 1956 ).

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# THE RAJASTHAN SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN AND GIRLS RULES, 1958.

Government Of Rajasthan Home 'A' Department

## NOTIFICATION

Jai pur, November 15, 1958.

No. F. 1/7 (17) Home (A)/57.—In exercise of the powers conferred by section 23 of the Suppression of Immoral Traffic in Women and Girls Act, 1956 (104 of 1956), the Governor is hereby pleased to make the following Rules, namely:—

### Notes.

These rules have been framed on the authority of section 23 of the Suppression of Immoral Traffic in women and girls Act, 1956. Section 23 of the Act reads as under:—

(1) The State Government may, by notification in the official *Gazette*, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for—

(a) the notification of any place as a public place;

(b) the placing in custody of women and girls released under sub-section (1) of section 10 or for whose safe custody orders have been passed under sub-section (1) of section 17 and their maintenance;

(c) the detention and keeping in protective homes of women and girls under sub-section (2) of section 10, sub-section (2) of section 17 and section 19 and their maintenance;

(d) the carrying out of the provisions of section 11 regarding notification of residence or change of or absence from residence by released convicts;

(e) the delegation of authority to appoint the special police officer under sub-section (1) of section 13;

(f) the carrying into effect of the provisions of section 18;

(g) (i) the establishment, maintenance, management and superintendence of protective homes and the appointment, powers and duties of persons employed in such homes;

(ii) the form in which an application for a licence may be made and the particulars to be contained in such application;

(iii) the procedure for the issue or renewal of a licence, the time within which such licence shall be issued or renewed and the procedure to be followed in making a full and complete investigation in respect of an application for a licence;

(iv) the form of a licence and the conditions to be specified therein;

(v) the manner in which the accounts of a protective home shall be maintained and audited;

(vi) the maintenance of registers and statements by a licensee and the form of such registers and statements;

(vii) the care, treatment, maintenance, training, instruction, control and discipline of the inmates of protective homes;

(viii) the visits to and communication with such inmates;

(ix) the temporary detention of women and girls sentenced to detention in protective homes until arrangements are made for sending them to such homes;

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*These rules have been first Published in Raj. Raj-patra Dated November 27, 1958 part IV (c) at page 1191.*

- (x) the transfer of a woman or girl from one protective home to another ;
- (xi) the transfer in pursuance of an order of the court from a protective home to a prison of a woman or girl found to be incorrigible or exercising bad influence upon other inmates of the protective home and the period of her detention in such prison ;
- (xii) the transfer to a protective home of women or girls sentenced under section 7 or section 8 and the period of their detention in such home ;
- (xiii) the discharge of inmates from a protective home either absolutely or subject to conditions, and their arrest in the event of breach of such conditions ;
- (xiv) the grant of permission to inmates to absent themselves for short periods ;
- (xv) the inspection of protective homes and other institutions in which women and girls may be kept, detained and maintained ;
- (b) any other matter which has to be, or may be, prescribed.

(3) In making any rule under clause (d) or clause (g) of sub-section (2) the State Government may provide that a breach thereof shall be punishable with fine which may extend to two hundred and fifty rupees.

(4) All rules made under this Act shall, as soon as may be after they are made, be laid before the State Legislature.

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Suppression of Immoral Traffic in Women and Girls Rules, 1958

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

- (a) 'Act' means the Suppression of Immoral Traffic in Women and Girls Act, 1956;
- (b) 'Board' means the Board visitors appointed by the Government under rule 41;
- (c) 'Chief Inspector' means the person appointed as such by the Government to discharge the functions of the Chief Inspector under these rules;
- (d) 'Licence' means a licence granted under section 21;
- (e) 'Form' means a form appended to these rules or prescribed under rule 44;
- (f) 'Section' means a section of the Act;
- (g) 'Superintendent' means the principal officer incharge of a protective home and includes any person specially appointed to discharge the functions of a Superintendent under the a rules;
- (h) 'Director' means the Director of Social Welfare Department of the Government of Rajasthan; and
- (i) 'Government' means the Government of Rajasthan.

3. *Manner of notifying public places.*—A copy of every order of the District Magistrate notifying a place to be a public place under section 7 (1) shall be affixed to a conspicuous part of the public place so notified and also the court house of the District Magistrate.

### Notes

Sub-section (1) of section 7 of the Act prohibits prostitution in or in the vicinity of specified public places or such other public place as may be notified in this behalf by the Commissioner of Police or by the District Magistrate in the manner prescribed. Rule 3 meets this requirement.

4. *Placing of girls in safe custody*—(1) Where a responsible and trust-worthy person belonging to the same religious persuasion as that of a girl produced before a Magistrate under sub-section (1) of section 17 is willing to take charge of the girl and the Magistrate, acting under sub-section (1) or sub-section (2) of that section, passes an order placing the girl in the safe custody of that person, such person shall execute before the Magistrate an undertaking in Form I.

(2) If the person in whose custody the girl is placed is no longer willing to fulfil the conditions of the undertaking, he may apply to the Magistrate for releasing him from the obligation to keep the girl in his custody.

### Notes

The girls removed under section 15 or rescued under section 16 are required to be produced before the Magistrates specified in sections 15 (5) and 16 (2) of the Act. In case of failure to do so, the Special Police Officer is required under sub-section (1) of section 17 of the Act to produce them forthwith before the nearest Magistrate of any class, who shall pass such orders as he deems proper for her safe custody until she is produced before appropriate Magistrate. Rule 4 prescribes the manner in which such intermediate custody shall be arranged.

5. *Detention of woman or girl in protective homes*.—Where, in pursuance of sub-section (2) of section 10, or sub-section (2) of section 17, or sub-section (2) of section 19, a Magistrate passes an order directing that a woman or girl be detained in a protective home, a warrant of detention in Form II shall be prepared in duplicate and shall be forwarded to the Superintendent of the Protective Home who shall retain one copy and return the other to the Magistrate after making an endorsement therein that the woman or girl referred to in the warrant has been duly taken in his charge.

### Notes

Sub-section (2) of section 10 provides that a Court, convicting a woman or a girl under section 7 or 8 of the Act, may pass a sentence of detention in a protective home. Sub-section (2) of section 17 authorises the appropriate Magistrate to order for the detention of girls removed under section 15 or rescued under section 16 in a protective home. Sub-section (2) of section 19 authorises the detention in a protective home on a suo-moty application by a woman or a girl carrying on prostitution.

6. *Notification of residence etc. by convicted offenders*.—(1) A convicted offender who has been ordered by the court under section 11 to notify his residence or any change of, or absence from, such residence shall, immediately after his release, report himself to the police officer having jurisdiction over his place of residence and shall also leave his correct address with such police officer. Thereafter, he shall report himself to such police officer once in

every month till the expiry of the period for which he is required to notify his residence.

(2) When any such offender intends to change his place of residence, he shall intimate his intention to the police officer having jurisdiction over his place of residence and also furnish to him the correct address of the intended place of residence. In every such case, the police officer shall send to the police officer having jurisdiction over the new place of residence a report of the intended change of residence together with full particulars of the convicted offender.

(3) As soon as the offender takes up his residence in the new place, he shall report himself to the police officer having jurisdiction over that place and shall also report himself to such officer once in every month till the expiry of the period for which he is required to notify his residence.

(4) If, for any reason, the offender does not change his place of residence as originally intended, he shall report the fact to the police officer having jurisdiction together with the reasons for such change of intent on.

(5) The provisions of sub-rules (2), (3) and (4) shall apply to temporary absence from the place of residence for any period exceeding seven days:

Provided that, in the case of temporary absence, the convicted offender shall again report to the police officer as soon as he returns to the usual place of residence.

(6) Any person who commits a breach of any of the sub-rules (1) to (5) shall be punishable with fine which may extend to two hundred and fifty rupees.

*Explanation*.—In this rule, 'police officer' means the officer incharge of a police station.

#### Notes

This rule puts into effect the requirements of section 11 of the Act which reads as under:—

(1) When any person having been convicted—

(a) by a court in India of an offence punishable under this Act or punishable under section 363, section 365, section 366, section 366-A, section 366-B, section 367, section 368, section 370, section 371, section 372 or section 373 of the Indian Penal Code, with imprisonment for a term of two years or upwards; or

(b) by a court or tribunal in any other country of an offence which would, if committed in India, have been punishable under this Act or under any of the aforesaid sections with imprisonment for a like term; and

is within a period of five years after release from prison, again convicted of any offence punishable under this Act or under any of those sections with imprisonment for a term of two years or upwards by a court, such court may, if it thinks fit, at the time of passing the sentence of imprisonment on such person, also order that his residence, and any change of, or absence from, such residence, after release be notified according to rules made under section 23 for a period not exceeding five years from the date of expiration of that sentence.

(2) If such conviction is set aside on appeal or otherwise, such order shall become void.

(3) An order under this section may also be made by an Appellate Court or by the High Court when exercising its powers of revision.

(4) Any person charged with a breach of any rule referred to in sub-section (1) may be tried by a Magistrate of competent jurisdiction in the district in which the place last notified as his residence is situated.

## PROTECTIVE HOMES

### *Notes.*

Section 21 of the Act, which authorises the establishment of protective homes, reads as under:—

(1) The State Government may in its discretion establish as many protective homes under this Act as it thinks fit and such homes, when established, shall be maintained in such manner as may be prescribed.

(2) No person or no authority other than the State Government shall, after the commencement of this Act establish or maintain any protective home except under and in accordance with the conditions of, a licence issued under this section by the State Government.

(3) The State Government may, on application made to it in this behalf by a person or authority, issue to such person or authority a licence in the prescribed form for establishing and maintaining or as the case may be, for maintaining a protective home and a licence so issued may contain such condition as the State Government may think fit to impose in accordance with the rules made under this Act :

Provided that any such condition may require that the management of the protective home shall, wherever practicable, be entrusted to women :

Provided further that a person or authority maintaining any protective home at the commencement of this Act shall be allowed a period of six month from such commencement to make an application for such licence.

(4) Before issuing a licence the State Government may require such officer or authority as it may appoint for this purpose, to make a full and complete investigation in respect of the application received in this behalf and report to it the result of such investigation and in making any such investigation the officer or authority shall follow such procedure as may be prescribed.

(5) A licence, unless sooner revoked, shall remain in force for such period as may be specified in the licence and may, on application made in this behalf at least thirty days before the date of its expiration, be renewed for a like period.

(6) No licence issued or renewed under this Act shall be transferable.

(7) Where any person or authority to whom a licence has been granted under this Act, or any agent or servant of such person or authority commits a breach of any of the conditions thereof or any of the provisions of this Act, or of any of the rules made under this Act, or where the State Government is not satisfied with the condition, management, or superintendence of any protective home, the State Government may, without prejudice to any other penalty which may have been incurred under this Act, for reasons to be recorded, revoke the licence by order in writing:

Provided that no such order shall be made until an opportunity is given to the holder of the licence to show cause why the licence shall not be revoked.

(8) Where a licence in respect of a protective home has been revoked under the foregoing sub-section such protective home shall cease to function from the date of such revocation.

(9) Subject to any rules that may be made in this behalf, the State Government may also vary or amend any licence issued or renewed under this Act.

(10) Whoever establishes or maintains a protective home except in accordance with the provisions of this section, shall be punishable in the case of a first offence with fine which may extend to one thousand rupees and in the case of second or



subsequent offence with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

Clause (g) of sub section (2) of section 23 of the Act authorises the State Government to make rules in this regard. The rules 7 to 45 have been framed in pursuance of the aforesaid rule-making power and are meant for putting into effect the requirements of section 21 of the Act.

7. *Licensing of protective homes*—(1) Application for a licence under section 21 (3) shall be made in Form III to the Government.

(2) On receipt of an application for a licence, the Government shall cause full and complete investigation to be made through the Director or any officer authorised by him in this behalf before issuing the licence. The said Director or officer before reporting on the application to the Government shall record the statements of the applicant or applicants and the Special Police Officer appointed for the area. In addition, he may make enquiries from such social welfare workers or respectable persons of the locality as he may deem necessary. The Government, if satisfied, that the applicant or applicants is or are fit person or persons to whom a licence may be granted, may grant a licence in Form IV, which if granted will remain in force for a period of one year;

(3) An application for the renewal of a licence shall be made in Form V at least thirty days before the date of its expiration. The licence may thereupon be renewed for a like period;

(4) No licence issued or renewed under this Rule shall be transferable;

(5) The management of every licenced home shall, wherever practicable, be entrusted to women;

(6) The licensee shall comply with all the conditions of the licence and the provisions of the Act and these rules and shall maintain all registers and accounts in the manner hereinafter laid and shall submit all statements and returns as prescribed in the Rules.

8. *Admission into protective homes*.—(1) On the admission of a woman or a girl into a protective home under the provisions of the Act, she shall be examined by the Superintendent, who shall record in the Inmate's Register in Form VI the particulars required to be shown in that register.

(2) The woman or girl admitted into a protective home shall then be supplied with a new set of clothes and the clothes worn by her at the time of admission shall be destroyed, if they are in rags or in filthy and verminous condition. The clothing of every woman and girl to be detained for a period of two years or more shall, if they are not liable to be destroyed, be sold and the proceeds credited to the personal account of the woman or girl. In all other cases, the clothing of a woman or girl shall be returned to the parents, guardians or relatives of the woman or girl and if it is not possible to do so, shall be washed, tied up in a bundle and stored and returned to the woman or girl on her discharge. She shall also be given a bath, which shall be of a disinfecting nature.

(3) The Superintendent or some other official of the protective home considered suitable by such Superintendent, shall then take the woman or girl to the nearest hospital for examination. If there is no hospital within a reasonable distance, the medical examination of the woman or girl shall be conducted by the nearest qualified lady doctor.

(4) Women or girls found to be suffering from any venereal disease shall be kept, as far as possible, separate from the other inmates of the protective home. Women or girls suffering from minor ailments shall be treated by the Medical Officer of the protective home. If any woman or girl is suffering from serious illness, she shall be taken to the nearest hospital for admission and a report shall immediately be sent to the District Superintendent of Police and to the nearest Magistrate. A copy of the report shall be simultaneously sent to the Chief Inspector.

9. *Admission of children accompanying inmates into protective homes.*—(1) A child below seven years of age in the care of its mother who is detained or ordered to be kept in the protective home may also be admitted to the home along with her, if it cannot be placed with its relatives or otherwise properly provided for. If any question arises as to whether a child is below seven years of age or not, such question shall be determined by the Superintendent.

(2) A child born in the home after the admission of the inmate into the protective home may remain with her.

(3) No child shall be kept in the protective home if it has completed the age of seven years. On a child completing such age, the Superintendent shall intimate the fact to the Chief Inspector with a view to his making arrangements, if possible, to place the child with its relatives or otherwise to keep the child in Government orphanage or other recognised institution.

(4) A child kept in the protective home shall be allowed such diet and clothing as the medical officer attached to the protective home may think fit.

10. *History Ticket.*—A record hereinafter referred to as history ticket shall be maintained in respect of each inmate in Form VII.

11. *Medical Examination.*—Every inmate shall be medically examined and weighed once in every month and the result of such examination and weighment shall be recorded in the history ticket of the inmate. A statement in Form VIII shall be submitted before the 10th of every month to the Chief Inspector showing the weighment statistics of the protective home.

12. *Strength of Establishment of protective homes.*—The strength of the establishment including medical officer of each protective home, whether established or licensed by the Government, shall be determined by the Government from time to time in consultation with the Director. The Government, in consultation with

the Director, may also assign duties to them. Necessary arrangements for medical aid of the inmates shall be also made by the Government in consultation with the Director.

13. *Superintendents.*—The Superintendent shall generally be responsible for the observance of all rules and orders, the supervision of the subordinate staff and the maintenance of discipline among the inmates. He shall in his own hand-writing, maintain an office journal in which shall be recorded daily, every occurrence of importance connected with the management of the homes, which is not otherwise disposed of in the registers of correspondence and which it is desirable to note for future guidance. The journal shall be forwarded to the Chief Inspector at the end of each month, who shall immediately return it after perusal with such remarks as he may consider necessary.

14. *Duties of Superintendents.*—The following duties, in addition to other duties assigned by the Government from time to time, appertain to the Superintendent:—

- (i) the Superintendent shall be incharge of general supervision and sanitation of the home and the health of inmates;
- (ii) the Superintendent shall be responsible for the discipline of the subordinate staff;
- (iii) the Superintendent shall be incharge of maintaining general accounts, disbursing bills, custody of jewellery, cash and other belongings of the inmates;
- (iv) the Superintendent shall be incharge of office correspondence, interviews with visitors and showing them round the home;
- (v) the Superintendent shall arrange meetings of the Board of visitors and submit immediately the reports of the meetings to the Chief Inspector;
- (vi) the Superintendent shall make surprise inspection of provision stores at least once a month, shall visit the home at uncertain hours and check that every thing is in order;
- (vii) the Superintendent shall be responsible for submitting statements and returns under these Rules in addition to such statements and returns as may be prescribed by the Government in consultation with the Chief Inspector from time to time;
- (viii) the Superintendent may grant casual leave to the subordinate staff;
- (ix) the Superintendent shall visit the home at nights at least twice a month at uncertain intervals.
- (x) the Superintendent shall be responsible for the purchase of provisions and by informing himself of the current market rates shall satisfy himself that the full amount of food is purchased and the rates are reasonable. He shall also see

the rations weighed and served out to the cooks, and shall with the medical officer, inspect the food daily, when it is cooked and ready for distribution, to make sure that it is properly cooked and that the full quantity reaches the inmates. The result of the Superintendent's inspection of food shall be noted in the Office Journal;

- (xi) the Superintendent shall be responsible for all the property of the protective home and all money and stores received.

15. *Weekly Inspections.*—(1) On one morning in every week, which shall usually be Monday, the Superintendent shall hold an inspection parade of all the inmates at which the Medical Officer shall also be present. At each such parade, the Superintendent shall satisfy himself—

- (a) that every inmate is provided with proper clothing and bedding;
- (b) that they are clean and tidy; and
- (c) that the rules and orders applicable to inmates are being duly carried out.

(2) The Superintendent shall, at every such parade, hear and enquire into any complaints and requests that the inmates may wish to make. It shall be his duty to hear the complaints and requests of inmates patiently and to afford them reasonable facilities for making such complaints and requests;

(3) Nothing in this rule shall debar any inmate from making a complaint or request to the Superintendent at other times than at the weekly parade, and it shall be the duty of every member of the staff to produce before the Superintendent without delay any inmate desiring to see him.

16. *Documents to be kept in the personal custody of the Superintendent*—The following documents shall be kept in the personal custody of the Superintendent:—

- (a) Contract agreement bonds;
- (b) Contractors' and subordinates' security deposit receipts of Post Office Savings Bank Account Books and Post Office cash certificates.
- (c) Personal files, service books and character rolls of the staff.

17. *Previous sanction required to leave station by Superintendents.*—Without the written sanction of the Chief Inspector, the Superintendent shall, on no account, absent himself from the station.

18. *Office Order Book.*—The Superintendent shall maintain an order book for the protective home in which he shall record all standing orders issued to his subordinates from time to time. He shall by an order allot the various duties to his subordinates and may, by a subsequent order, vary such allotments.

19. *Duties of the Medical Officers of Protective Homes.*—(1) In addition to such other duties as may be assigned to the Medical Officer of a protective home by the Government from time to time in consultation with the Director, the Medical Officer shall visit the protective home every day except on Sundays and other holidays; on Sundays and holidays also, when necessary. He shall attend to the health and cleanliness of the inmates, the treatment of the sick, the sanitation of the protective home, general inspection and supervision of food and all other matters connected directly or indirectly with the health of the staff and inmates of the home.

(2) On each visit to the protective home, the Medical Officer shall enter his remarks in the register in Form IX.

(3) The medical Officer shall accompany the Chief Inspector during his inspection of the protective home.

(4) During the absence of the Superintendent on short leave (other than casual leave) or during a vacancy in the post of the Superintendent for a short period, the Medical Officer, with the previous approval of the Chief Inspector, may act as the Superintendent, in addition to his own duties.

20. *Educational and vocational training of the inmates of protective homes.*—(1) Provision may be made for general education in all protective homes. Besides general education, each protective home shall, as far as possible, provide for the vocational training of the inmates, the wishes of each inmate being consulted, as far as possible, as to the particular training she shall undergo. Suitable employment, which shall include house work, sewing, weaving, spinning and the like may be provided. All courses of training shall be approved by the Director.

(2) Teachers shall be engaged for imparting general education and instructors appointed for giving vocational training to the inmates: In an emergency, the Superintendent may direct such teachers and instructors to attend to executive or administrative duties.

21. *Daily Routine of protective Homes.*—(1) The following daily routine shall be observed in the protective homes:—

5. 30 a.m. to 6.30 a.m. in warm months and 6.30 a.m. to 7.30 a.m. in the cold months. Visit to the latrines, ablutions, bath and toilet.

7.30 a.m. to 7.45 a.m.

Morning prayers.

7.45 a.m. to 8.15 a.m.

Breakfast.

8.15 a.m. to 9.30 a.m.

Washing personal clothes.

10 a.m. to 1. p.m.

School or workshop.

1 p.m. to 2. p.m.

Lunch and rest.

2 p.m. to 4.30 p.m.

Needlework and handicrafts or workshop.

4.30 p.m. to 6.30 p.m.

Games, gardening and bath.

6.30 p.m. to 6.45 p.m.

Evening prayer.

6.45 p.m. to 7.30 p.m.

Night meal.

7.30 p.m. to 9.30 p.m.

Study or reading.

(2) This daily routine may be changed by the Director with the prior approval of the Government.

*Note.*—Daily routine may be suitably modified on Sundays and other gazetted holidays. Saturdays shall be observed as half holidays.

22. *Diet of inmates in protective homes.*—(1) The Director shall prescribe a scale of diet for the inmates of a protective home with the approval of the Government and may effect alterations therein with the like approval of the Government.

(2) The scale of diet for sick inmates shall be fixed by the Medical Officer in a protective home.

23. *Supply of clothing etc. to inmates of protective homes.*—

(1) Each inmate shall be supplied with a steel box, an unbreakable plate, tumbler and a mirror.

(2) Clothing and bedding to inmates shall be supplied on the following scale:—

Name of articles 1	Scale of supply per head 2	Serviceability 3
Sarees	2	For one year
Blouses	3	
Petticoats	2	
Bodices	4	
Towel's	2	
Sanitary cloth	2 yards	To be replaced when worn out for two years
Durries	1	
Pillow	1	
Pillow cases	2	
Bedsheets	2	
Wooden combs	2	in a year

(3) Every inmate shall be given for the purpose of washing clothes half a bar of washing soap per month and for bathing purposes half a cake of toilet soap per month and  $\frac{3}{4}$  oz. of soap-nut powder per week. Every inmate shall also be provided with four drams of oil daily for dressing of hair and half an ounce of oil once a week for oil bath. A sufficient number of mirrors shall be placed in each dormitory.

(4) The Director may alter this scale with the sanction of the Government.

24. *Living space for inmates of protective homes.*—Every inmate shall have a separate bed with a floor space of not less than 8' x 5' per bed. A place shall be allotted for every inmate in the dormitory.

25. *Religious and moral instruction.*—(1) The protective homes shall not be used as a means of fostering any one religion at

the expense of others and the principle of secularism shall be maintained strictly.

(2) Religious and moral instructions to inmates of protective homes shall be allowed on condition that no proselytising is carried on under the cloak of such instruction and that nothing is done to take the inmates away from the religion professed by them. The instruction may be in the form of prayer, worship and occasional bhajans with music.

(3) The Superintendent shall endeavour to secure the services of honorary instructors; and in their absence, the senior members of the staff, preferably the teachers, shall be deputed to impart religious and moral instruction to the inmates of their own faith at least once a week.

26. *Libraries for protective homes.*—Every protective home shall be provided with a library of suitable books with a catalogue. The choice of books shall be made by the Superintendent and approved by the Chief Inspector, who will be responsible for the suitability of the books chosen.

27. *Attendance of the inmates of protective homes before Police or Magistrate.*—Any inmate whose attendance is required before the police or before a court shall be permitted to leave the protective home for the purpose, only on receipt of a written requisition signed by a police officer not below the rank of a Deputy Superintendent of Police or of a summons issued by the court of competent jurisdiction. The inmate shall in such cases be accompanied by the Superintendent or by any other member of the staff considered suitable by the Superintendent.

28. *Escape and recapture of inmates of protective homes.*—(1) The Superintendent shall give immediate notice of the escape or recapture of any inmate of the home to—

- (a) the Director,
- (b) the Chief Inspector,
- (c) the nearest police station,
- (d) the District Superintendent of Police, and
- (e) the District Magistrate.

(2) On receipt of a notice of escape under sub-rule (1), the Officer-in-charge of the Police Station shall take necessary steps to recapture the inmate and to bring her back to the home from which she escaped.

29. *Death of inmates of protective homes.*—In case of death of any of the inmates, the Superintendent shall immediately report the circumstances of the case to the Medical Officer, Director, District Superintendent of Police and to the nearest Magistrate. Copies of the report shall also be sent to the Chief Inspector, and to the parents or guardians or relatives, as the case may be, of the inmate.

30. *Transfer of inmates.*—(1) The Chief Inspector may for any of the following reasons, to be recorded in writing, order the

transfer of an inmate detained in a protective home to any other protective home:—

- (a) when the transfer is for the welfare of the inmate or is in the interest of discipline;
- (b) when there is no accommodation in the protective home; or
- (c) for any other special reasons.

(2) The Superintendent shall, before effecting such transfer, satisfy himself that the inmate to be transferred is in a fit state of health to undergo the transfer;

(3) The inmate shall be escorted by a woman employee of the protective home considered suitable for the purpose by the Superintendent of the home. The Superintendent may, if necessary, take the assistance of the Special Police Officer of the area.

(4) All the records and personal property, if any, relating to the inmate transferred shall be handed over to the escort to be delivered to the Superintendent of the protective home to which the inmate is transferred.

(5) The Superintendent of the home to which the inmate is transferred shall, on the arrival of the inmate and after due verification acknowledge the correct receipt of the inmate and documents and property.

(6) The total period of detention or stay of an inmate ordered by the court shall on no account be increased by any transfer under sub-rule (1).

31. *Visits to and communications with the inmates of protective home:—*(1) No inmate shall be allowed to see visitors or receive letters without the express permission of the Superintendent and no male visitor shall be permitted to interview any of the inmates except in the presence of the Superintendent or any other member of the staff of the home so authorised by the Superintendent in this behalf.

(2) Every inmate newly admitted to a protective home shall be allowed reasonable facilities for seeing or communicating with her relatives, friends or legal advisers with a view to the preparation of an appeal.

(3) Parents and guardians may visit inmates of a protective home on Saturdays and Sundays between 4 p.m. and 6 p.m. For very urgent reasons, visitors may be allowed on other days and at other times with the special permission of the Superintendent. The privilege of receiving visitors may be refused on the orders of the Superintendent as a punishment for misconduct by the inmate, or if is used to introduce any prohibited article into the home or if the parent or guardian has or is likely to have, in the opinion of the Superintendent, a bad influence on an inmate or inmates or for any other sufficient cause. The Superintendent shall record his reasons for such refusal in the office journal.



(4) Every inmate shall be allowed to write or receive a letter once a month during the period of her detention or stay in the home, subject to the condition of good conduct.

(5) If the address of the parents or guardians is known, they shall be given notice of any serious illness of the inmate and the Superintendent shall answer any reasonable enquiries made by the parents or guardians.

(6) Inmates shall be allowed, if they so desire special letter in order to inform the parents or guardians of their transfer from one protective home to another. This shall not be counted as a letter for the purpose of sub-rule (4).

(7) No letter shall be delivered to or sent by an inmate unless the Superintendent has satisfied himself that its transmission is unobjectionable.

(8) Superintendent may at his discretion grant interviews or allow the despatch or receipt of letters at short intervals than those provided in sub-rule (4) in spite of the inmates' misconduct, if he considers that special or urgent grounds exist for such concession.

(9) A register shall be maintained by the Superintendent for recording the visits of parents or guardians of the inmates of the home. Cases of refusal to permit visits shall be recorded in this register with reasons.

(10) A register of correspondence between the inmates and their parents and guardians shall be maintained.

32. *Permission to inmates to absent themselves for short periods from protective homes.*—With the previous sanction of the Chief Inspector and in very special cases, the Superintendent may grant to any inmate leave of absence for a period not exceeding a week on the death of the parent or guardian or to visit the parent or guardian who is seriously ill. The Chief Inspector may extend the leave granted, by a period not exceeding two weeks. The leave granted may at any time be cancelled without assigning any reasons and the inmate recalled. The inmate shall enter into a bond in Form X for this purpose before proceeding on leave.

33. *Discipline and punishment.*—(1) The following acts are forbidden in a protective home and every inmate who wilfully commits any of them shall be deemed to have wilfully disobeyed the regulations of the protective home:—

- (a) quarrelling with any other inmate,
- (b) any assault or use of criminal force;
- (c) use of insulting, obscene or threatening language,
- (d) immoral or indecent or disorderly behaviour,
- (e) wilfully disabling herself for labour;
- (f) contumaciously refusing to work;
- (g) wilful idleness and negligence at work,
- (h) wilful damage to the home property;

- (i) wilful mismanagement of work,
  - (j) tampering with or defacing history tickets, records, documents or tools,
  - (k) receiving, possessing or transferring any prohibited article,
  - (l) feigning illness,
  - (m) wilfully bringing a false accusation against any official or inmate;
  - (n) omitting or refusing to report, as soon as it comes to her knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape or any attack or preparation for attack upon any inmate or official of the home,
  - (o) conspiring to escape or to assist in escaping,
  - (p) answering untruthfully any question put by an officer of the home or a visitor,
  - (q) refusing to eat food or wilfully destroying food,
  - (r) committing a nuisance in any part of the home.
- (2) The Superintendent may award any of the following punishments for the act or acts specified in sub-rule (1);—
- (a) deprivation of play hours;
  - (b) temporary cessation of visits from parents or guardians; and
  - (c) change to labour of severe nature for a period not exceeding three months.

(3) A Punishment Book shall be maintained by the Superintendent, who shall record full particulars of the punishments inflicted by him together with the nature of offences, the names of the offenders and the number of previous punishments awarded to them.

(4) An extract from the Punishment Book shall be sent by the Superintendent to the Chief Inspector before the 10th of every month.

34. *Prohibited articles.*—Liquor, intoxicating drugs including opium and ganja shall be the prohibited articles and shall not be introduced, received, possessed or transferred in the protective home.

35. *Treatment of mental cases.*—When an inmate of a protective home is sent to a Government Mental Hospital for observation or treatment, action shall be taken by the Superintendent under section 6 (2) of the Indian Lunacy Act, 1912 ( 4 of 1912) for obtaining reception orders. An inmate who is taken to the Government Mental Hospital with such reception order shall be treated as a 'Civil patient'.

36. *Removal to civil hospitals for treatment.*—(1) Whenever the medical Officer of a protective home considers it necessary to remove an inmate to a Civil Hospital for treatment as an indoor patient, he shall draw up a full statement of the case and forward the

same to the Superintendent, who shall forthwith cause the inmate concerned to be sent to the hospital temporarily.

(1) The inmate shall immediately proceed under escort to the Hospital and present herself to the Officer Incharge of the Hospital.

(3) The inmate shall be an indoor patient in the Hospital and shall not leave it until formally discharged therefrom.

(4) The authorities of the Hospital shall give intimation to the Superintendent concerned before discharging the inmate from the Hospital. On receipt of intimation, the Superintendent shall arrange for an escort to fetch the inmate. The railway warrant, subsistence allowance, bus, or other fare and any other allowances necessary for the inmate and the escort shall be given to the escort so arranged by the Superintendent. Such charges shall also be paid to the escort while removing the inmate from the protective home to the Hospital.

(5) When an inmate is removed for treatment to a Civil Hospital, no charges shall be made against the protective home for the treatment and diet given to the inmate in the Hospital.

37. *Period spent in hospital* — When an inmate is sent to a Government Mental Hospital, or as an indoor patient to a Civil Hospital, the period spent by her in such Hospitals and in going there and return therefrom shall be deemed to be part of the period of her detention or stay in the protective home.

38. *Discharge of inmates of protective homes.* — (1) The Government may at any time order an inmate of a protective home to be discharged either absolutely or on such conditions, as they approve. In the event of a breach of any such conditions, the inmate shall be liable to be arrested and brought back to the home.

(2) The Superintendent shall at the end of each month prepare a statement of inmates who have to be discharged in the subsequent month and read out the statement to the inmates.

(3) On the day of discharge, the inmate's state of health shall be recorded by the Superintendent in the Inmate's Register. He shall compare the entries in the warrant of committal with those in the Register and shall satisfy himself that they agree and that the term of the inmate has been duly served. He shall then sign the endorsement for discharge on the warrant, certifying to the due expiry of the term. The belonging of the inmate shall be handed over to her and the details recorded in the appropriate column in the Inmates' Register. The inmate shall be given food for the day before she is discharged. The inmate shall if necessary be provided with suitable clothing.

(4) Every discharged inmate whose destination is on or near a line of railway shall be supplied with a railway ticket of the lowest class. Payment of the fare shall be made by railway warrant where the cost of journey exceeds Rs. 5/- In other cases, payment shall be made by cash. When a journey is to be made by boat or bus, the inmate shall be provided with passage or passage money to the hal-

ting place nearest to his/her destination at the lowest rate. Every inmate who has to proceed a distance of more than 5 miles by road or more than 3 hours' journey by rail or other mode of conveyance shall on discharge be given subsistence allowance at the rate of 8 annas, if the journey will be completed on the following morning and one rupee per day otherwise.

(5) The Director may at any time order suitable inmates of the protective homes to be admitted into homes established under the After Care Programmes of the Government.

(6) A disposal register in Form XI shall be kept in every protective home in which full particulars shall be entered of the manner in which every inmate is disposed of on discharge and of her after-career. Every effort shall be made by the Superintendent to keep in touch with the inmates for at least 3 years after their discharge.

(7) An annual return in Form XII shall be made by the Superintendent to the Chief Inspector. The remarks made by the Board of Visitors from time to time during the year to which the return relates shall also be communicated to the Chief Inspector with the return.

39. *Marriage of inmates of protective homes.*—(1) The Superintendent may, if possible, arrange for the marriage of an inmate with a man of her own religion, provided that her previous consent in writing and that of her parent or guardian, if she has not attained the age of 18 years, is obtained and provided that no monetary consideration is accepted from the person to whom the inmate is married or from any person interested in him. In case there is no parent or guardian living, the consent of the nearest relation should be obtained. The wishes of the inmate shall in every case be considered and respected as far as possible.

(2) No such marriage shall be performed without the permission of the District Magistrate.

40. *Chief Inspector of protective homes.*—(1) The Government shall appoint a Chief Inspector for all the protective homes in the State.

(2) Among other duties assigned to him by the Government from time to time, the following duties shall appertain to the Chief Inspector:—

- (a) he shall superintend and control the working of these rules;
- (b) he shall have general control over the staff in all protective homes in the State.
- (c) he shall inspect all protective homes whether established or licensed by the Government, at least once a year and submit his inspection reports to the Government;
- (d) he shall generally work under the control and direction of the Director and submit all his reports through the latter to the Government.

41. *Board of Visitors.*—(1) The Government may appoint for any local area a Board of Visitors to visit once a month the protective homes situated within such local area and to comment and advise on matters affecting the administration of such protective homes.

(2) The Government may appoint to a Board of Visitors to work as its members such officials and non officials as it may deem necessary, the total number being not less than 3 and not more than 7, one of whom shall be nominated as President. Non-official members may include experienced social welfare workers, particularly women social welfare workers, in the field of suppression of immoral traffic in women and girls.

(3) A non-official member shall hold office for 2 years from the date of his/her appointment and shall be eligible for re-appointment.

(4) It shall be the duty of the Board:—

- (a) to enquire into and see that the arrangements in the protective homes are proper in all respects;
- (b) to examine the medical, admission and disposal registers and any other connected records;
- (c) to see that no inmate is illegally detained in a home;
- (d) to bring any special cases to the notice of the Chief Inspector;
- (e) to interview new admissions since the last meeting and to hear any representations that the inmates may desire to make; and
- (f) to carry out any other duties which may be assigned to the Board from time to time by the Government.

(5) The Board shall hold a formal meeting once in every 3 months. The meeting shall be held in the protective home or if there are 2 or more protective homes in any area, in each home by rotation. The Superintendent of the protective Home in which the meeting is held shall be the Secretary of the Board for the meeting.

(6) No business shall be transacted at the meeting of a Board unless at least 3 members are present.

(7) The President shall preside at every meeting of the Board at which he/she is present. If the President is absent from any meeting, the Members present shall elect one of the members to preside over the meeting and the member so elected shall at that time exercise all the powers of the President.

(8) The President of the Board shall fix the date and hour of the meeting and a week before the date so fixed, a notice thereof, together with an abstract of any special matters to be considered, shall be furnished to the members by the Secretary of the Board.

(9) The minutes of each meeting shall be approved by the President and sent by the Superintendent of the protective Home in which the meeting is held to the Chief Inspector with his remarks.

(10) The Superintendent of each Home shall bring to the notice of the Chief Inspector, all cases of failure on the part of any member to attend a meeting. The Chief Inspector shall keep a record of such cases of absence and shall, when any non official member's attendance is markedly irregular, bring the facts to the notice of the Government who may, if they think fit, remove such member from office.

(11) The Superintendent shall be advised by the resolutions of the Board in the management of the protective home; provided that if, in the opinion of the superintendent, it would be inconsistent with the Act or these Rules, or inexpedient to give effect to any such resolution, he shall submit the resolution for the orders of the Chief Inspector and intimate to the President of the Board the fact of his having done so. The order of the Chief Inspector shall be final. It will however be subject to review by the Government who may confirm, rescind or modify such order.

42. *Visitors' Book.*—The Superintendent shall cause a Visitors' Book to be maintained at the protective home. A copy of the remarks of the visitor recorded in the Visitors, Book shall be submitted by the Superintendent to the Chief Inspector soon after the remarks are recorded by the visitor.

43 *Annual returns.*—The Superintendent shall submit to the Chief Inspector a report on the administration of his protective home for the previous year, not later than the 15th May of each year in the Form XIII. The Chief Inspector shall send annually to the Government in the first week of July each year a report on the working of these rules together with his remarks, if any.

44. *Forms.*—The Director shall prescribe forms for maintenance of registers and statements pertaining to accounts and other matters of a protective home.

45. *Punishment for breach of rules* —Any person who commits a breach of Rule 7 or 34 of these Rules, shall, on conviction by a Magistrate, be punishable with fine which may extend to two hundred and fifty rupees.

#### FORM I

Form of undertaking

(See Rule 4)

In the Court of the

Magistrate

I... .. do hereby declare  
of..... that I am willing to take charge of .....  
aged..... under the orders of the Court,  
subject to the following terms and conditions:—

(i) I shall do my best for the welfare of the girl as long as she remains in my charge and shall make proper provision for her maintenance.

(ii) If the girl's conduct is unsatisfactory, I shall at once inform the Court.

(iii) In the event of the girl's illness, she shall have proper medical attention in the nearest hospital.

(iv) The girl shall be free to follow the observances of her own religion.

(v) I undertake to produce her before the Court when so required.

## FORM II

Warrant of commitment to a protective home

(See Rule 5)

In the Court of

To the Superintendent of the Protective Home at

Whereas.... particulars of whom  
are furnished below has been ordered by me to be detained in a  
protective home for a period of....  
from.... to ....  
under sub-section (2) of section 10/sub-section (2) of section 17/sub-  
section (2) of section 19 of the Suppression of Immoral Traffic in  
Women and Girls Act, 1956 (104 of 1956);

This is to authorise and require you the said Superintendent  
to receive the said.... into your custody  
together with this warrant and there to detain her for the period  
referred to above in accordance with the Rajasthan Suppression of  
Immoral Traffic in Women and Girls Rules, 1958, and to return  
this warrant with an endorsement certifying the manner of its  
execution.

Particulars:—

1. Name of the woman or girl
2. Age
3. Religion
4. Marks of identification
5. Offence charged
6. Offence for which convicted
7. Sentence passed
8. Date of sentence
9. Period of detention

Given under my hand and seal of the Court, this....  
day of.... 195

## FORM III

Form of Application for Licence

[See Rule 7 (i)]

1. Full name of the applicant or associa-  
tion (if registered, a copy of the regist-

ration certificate and particulars of all members of the association shall be given).

2. Religion.
3. Residence (town or village).  
Police Station.  
District.

*Note:—*In case of association, particulars regarding items 2 and 3 be mentioned in respect of each member).

4. Name of the Institution.
5. Aims and objects of the Institution.
6. Details about the financial condition of the Institution funds, property and sources of income.
7. Arrangements made or proposed to be made for boarding and lodging. Also details of the building, whether owned by the Institution or rented.
8. Arrangements in respect of general health of inmates and facilities for their medical treatment and arrangements proposed to be made for the education and vocational and moral training designed to make them fit for rehabilitation in life as normal citizens.
9. Full address of the proposed Institution including the name of the city or town and the locality.
10. If any such application has been made previously, please state its result together with its date, month and year.
11. If the Institution exists at present, the date of its commencement, annual reports of its working if prepared or its working to date.
12. Number and particulars of inmates at the time of opening the Institution.
13. Maximum number of accommodation for children and women.
14. Any other particulars.

I/We.... hereby solemnly affirm that the above and annexed particulars are true according to my/our best knowledge and belief.

Signature (s) with date, place  
and name in block letters



7. Weight on admission.
8. Diet.
9. Nature of labour on which employed.
10. State of health on admission.
11. Remarks (Punishment awarded, etc.).
12. Results of monthly medical examination and weighment.

Date: State of health.      Remarks and initials of the Superintendent.

*Note:*—Particulars about health should be entered by the Medical Officer.

### FORM VIII

(See Rule 11)

\*Here enter the name of the protective home      Statement Showing the gain or loss in weight of inmates in \*(.... ) for the month of... ....

Name of protective home	Total No. of inmates weighed	No. of inmates lost weight	No. of inmates gained weight	No. of inmates whose weights have not changed	Average gain in weight
1	2	3	4	5	6

### FORM IX

Medical Officer's Journal.

(See Rule 19 (2) ]

(Name of the Protective Home).

Month and date.	Observations or Direction of the Medical Officer.	Remarks of the Superintendent.
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### FORM X

Bond

(See Rule 32)

Whereas I \_\_\_\_\_ daughter of \_\_\_\_\_ inhabitant of \_\_\_\_\_ have been convicted under section \_\_\_\_\_ of the Suppression of Immoral Traffic in Women and Girls Act, 1956 and sent to the Protective Home at—;

And Whereas my parent/guardian Shri \_\_\_\_\_ is dead/ is lying seriously ill at \_\_\_\_\_;

And Whereas the Superintendent of the Protective Home has granted me leave of absence from the Protective Home for \_\_\_\_\_ days under rule 32 of the Rajasthan Suppression of Immoral Traffic in Women and Girls Rules, 1958 on condition of my executing a bond for my return to the said home after the expiry of the said leave or any extension thereof;

I hereby bind myself to return to and present myself at the said protective home on the day the leave or any extended period

thereof expires and in case of making default, I bind myself to forfeit to the Government of the State of Rajasthan a sum of Rupees\_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

\_\_\_\_\_  
Signature.

Witnesses—(1) \_\_\_\_\_

(2) \_\_\_\_\_

(Where a bond with surety is executed, add.)

I do hereby declare myself surety for the above named \_\_\_\_\_  
\_\_\_\_\_ that she will return to and present herself at the said Protective Home as hereinbefore agreed to by her and in case of her making default therein, I bind myself jointly and severally to forfeit to the Governor of the State of Rajasthan a sum of Rs \_\_\_\_\_.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

\_\_\_\_\_  
Signature of surety.

Witnesses—(1) \_\_\_\_\_

(2) \_\_\_\_\_

### FORM XI

Disposal Register.

[See Rule 38 (6)]

(Name of the protective home).

1. Serial number.
2. Name of girl or woman.
3. Age.
4. Caste, religion and language.
5. Conduct.
6. Attainment.
7. Health.
8. Medical treatment.
9. Date of leaving.
10. Duration of stay.
11. Remarks.
12. Signatures of Superintendent.

### FORM XII

Number of persons discharged during the year.

[See Rule 38 (7) ]

District, \_\_\_\_\_ taluk, \_\_\_\_\_ town or village

1. Name of the Protective Home.

Girls

2. Number of \_\_\_\_\_ discharged during the year.

Women

Station.

Date.

| Superintendent of Protective Home.

## FORM XIII (See Rule 43).

Annual Administration Report of \_\_\_\_\_ Protective  
Home for the year \_\_\_\_\_

1. Building.
2. Staff.
3. Inmates admitted.

*Note:*—In this column the No. of inmates, child and adult, i.e. above 14 years should be shown separately. Besides this, No. of married, widowed, deserted or otherwise should be shown separately. Admission under order of Courts, through Police and otherwise may also be shown separately. Number of inmates at the end of the last year may also be shown with the above details.

4. Health of the inmates

*Note:*—This should include number of inmates suffering with Venereal diseases at the time of admission and later treatment. General note on the diseases and treatment and medical assistance given may also be given.

5. Education and Training.

*Note:*—This should include the details regarding Education and Training given in crafts. The work done by the inmates under different crafts and the disposal of the products may also be mentioned. The progress of the inmates regarding education, failure and success be mentioned in details. Special trends of inmates towards special craft or art may be mentioned.

6. Fooding and clothing of the inmates.
7. Library.
8. Escapes of inmates and their re-capture.
9. Death of inmates.
10. Transfer of inmates from this Protective Home to other Protective Home or After-care Home.
11. Leave to inmates and their return to home.
12. Cases pending in Court-of-Law involving admission and detention of inmates.
13. Discipline and punishment.
14. Discharge and rehabilitation of inmates along with follow-up programme.
15. Marriage performed.
16. Expenditure incurred during the year with details on different items.
17. Visits and action by the Board of Visitors.
18. Suggestions for improvement.
19. General remarks.

Superintendent, Protective Home,  
By order of the Government,  
C. S. GUPTA,  
Secretary to the Government.

*Notifications under,*

**SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN &  
GIRLS ACT, 1956.**

*Published in Raj. Raj-patra Dated September 25, 1958 part IV [c] at page 1008 :*

Jaipur, September 9, 1958.

No. F. 17 [14] Home (A)/58.—In exercise of the powers conferred by sub-section (1) of section 13 of the Suppression of Immoral Traffic in Women and Girls Act, 1956 (No. 104 of 1956), the Government of Rajasthan hereby appoints the following as Special Police Officers for dealing with offences under the said Act in the areas specified against each;

Special Police Officers	Areas
1	2
1. Deputy Superintendent of Police, City Circle, Jaipur.	Jaipur City.
2. Deputy Superintendent of Police, City Circle, Ajmer.	Ajmer City.
3. Deputy Superintendent of Police, City Circle, Jodhpur.	Jodhpur City.
4. Deputy Superintendent of Police, City Circle, Bikaner.	Bikaner City.
5. Deputy Superintendent of Police, City Circle, Udaipur.	Udaipur City.
6. Deputy Superintendent of Police, City Circle, Kotah.	Kotah City.

By Order of the Governor,  
C. S. GUPTA,  
Secretary to the Government.

*Notifications under*

**SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN & GIRLS  
ACT, 1956.**

*Published in Raj. Raj-patra part IV (c) dated January 21, 1960 at page 1159*

**Social welfare Department  
NOTIFICATION**

Jaipur, December, 8, 1959.

No. D. 669/F. 7 (96) SCA/59.—In exercise of the powers conferred by sub-section (1) of section 21 of the supersession of Immoral Traffic in Women and Girls Act, 1956 (No. 104 of 1956) the Government of Rajasthan hereby declares the following Homes and Shelters as Protective Homes for the purpose of the said Act, namely.

- |    |                            |            |
|----|----------------------------|------------|
| 1. | District Shelter for women | Dholpur.   |
| 2. | -do-                       | Alwar      |
| 3. | -do-                       | Jaipur     |
| 4. | -do-                       | Churu      |
| 5. | -do-                       | Ganganagar |
| 6. | -do-                       | Udaipur    |

By Order of the Governor,  
**SHIV SHANKER,**  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated September 8, 1960 at page 341*

**Home 'A' Department  
NOTIFICATION**

Jaipur, August 19, 1960.

No. D. 2733/F. 17 (14) Home (A)/58.—In exercise of the powers conferred by sub-section (1) of section 13 of the Suppression of Immoral Traffic in Women and Girls Act, 1956 (No. 104 of 1956), the Government of Rajasthan hereby appoints the following as Special Police Officers for dealing with offenses under the said Act in the areas specified against each:—

---

**Special police Officers**

**Areas**

**1**

**2**

- 
1. Deputy Superintendent of Police,  
and in his absence Assistant  
Superintendent of Police, Head-  
quarters, Alwar.

**Alwar City.**

2. Deputy Superintendent of Police, Churu City.  
and in his absence Assistant  
Superintendent of Police, Head-  
quarters, Churu.

By Order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (a) dated November 24, 1960 at page 216*

Social welfare Department  
NOTIFICATION

Jaipur, September 22, 1960.

No. D. 3712/60/F. 23 (A-42)Sw/59/2893.—In exercise of the powers conferred by sub-rule (1) of rule 40 of the Rajasthan Suppression of Immoral Traffic in Women and Girls Rules, 1958, the State Government hereby appoints the Deputy Director of Social Welfare Department by virtue of his office, to be a Chief Inspector for all the protective homes in the State of Rajasthan.

By Order of the Governor,  
SHIVSHANKAR,  
Secretary to the Government.

*Notifications under*

**Suppression of Immoral Traffic in Women and Girls Act, 1956**

*Published in Raj Raj-patra part IV (c) Supp. No. 27 of dated 4/10/62 at page 3:*

Home (A) Department

**NOTIFICATION.**

Jaipur, September 11, 1962,

*No. F. 17 (14) Home (A-Gr. I)/58.*—In exercise of the powers conferred by sub-section (1) of section 13 of the Suppression of Immoral Traffic in Women and Girls Act, 1956 (Central Act 104 of 1956), the State Government hereby appoints the Deputy Superintendents of Police, and Assistant Superintendents of Police, as Circle Officers in their respective jurisdiction, as Special Police Officers for dealing with offences under the said Act.

By order of the Governor

Shivshanker

Secretary to the Government